

EXTENSIONS OF REMARKS

WELFARE REFORM

HON. MARGE ROUKEMA

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 10, 1993

Mrs. ROUKEMA. Mr. Speaker, I am pleased to join with over 150 of my Republican colleagues this morning in introducing comprehensive welfare reform legislation.

The legislation we introduce today addresses the central crisis of our welfare system; namely, that welfare was intended to be a temporary safety net—not a perpetual web of dependency. Furthermore, our legislation recognizes that the philosophical underpinning of welfare reform must be responsibility: of society to the less fortunate, but equally of welfare recipients to society and its taxpayers.

Our legislation addresses the welfare crisis on several fronts. Above all, we have taken the pioneering step of requiring welfare recipients to work for their benefits. Parents on welfare must enroll in job training, job search, or education programs. If they have not independently found work after 2 years, they must then participate in a State-run jobs program. The Republican welfare bill ends the system of something for nothing, and ensures that AFDC recipients meet reasonable and responsible standards.

We accept our responsibility in establishing these programs as well. We have dramatically expanded job training and work programs, and included the funding necessary to implement them.

Our bill addresses other, glaring failures in our present welfare system. Our legislation prohibits benefits to adolescent mothers, requiring them to maintain residence in a family household. We encourage States to adopt profamily financial incentives for welfare families, and eliminate monetary penalties and obstacles to stable family formation. We end the proliferation of welfare benefits for noncitizens. We take steps toward addressing the failures of our child support enforcement system, and strengthen the requirements for paternity establishment in welfare programs.

I am particularly pleased that this legislation includes the Roukema amendment, which requires welfare recipients, as a condition of receiving AFDC benefits, to certify that their children have been properly immunized.

As my colleagues will recall, Republicans were united this year in voting against the President's budget package, and the time-honored approach of throwing money at the child immunization problem. In that light, the President's reconciliation package included more than \$600 million over the next 5 years for immunization programs.

However, as I have long maintained, the problem here is not money. All objective evidence indicates that the missing link in pre-school immunization is enforceable standards.

Today, either through ignorance or apathy, parents are failing to get their children immunized, making these children the victims. The Roukema amendment requires that parents, in order to qualify for AFDC benefits, must have their children properly immunized and up to date on the vaccinations. My amendment makes State compliance mandatory.

In addition, our bill requires that day care and child care centers which receive Federal moneys must certify that these same immunization requirements are met before enrolling a child.

For generations we have taken this approach in requiring immunizations for school enrollment, with remarkable success. When we require this immunization, and tell parents that their child won't start school without them, it happens—parents get their children the shots.

I would also stress that the immunization of children is preventive medicine. Medical and scientific evidence shows that every dollar invested in childhood immunization saves \$10 in future health care costs. Yet despite our vast technology, and remarkably effective vaccines, our Nation has begun to face increases in preventable childhood diseases.

Last year, in my own State of New Jersey, six children died from an outbreak of measles. These were unnecessary deaths. It is a national disgrace that in this country—the most advanced country on the globe, with the best medical care available—we rank with the Third World bloc when it comes to immunization standards.

I do have several concerns with the Republican package we are introducing today. This bill is not perfect, and in the months to come, I will be working to address what I perceive as its shortcomings.

In particular, I am concerned that we do not definitively prohibit States from increasing AFDC grants for children born to parents already on welfare.

Under the Republican task force package, States would be allowed to opt out of this provision, by passing a law to exempt themselves. It is unclear to me why the Federal Government, paying far and away the lion's share of the AFDC Program, feels the need to let States decide just how tough welfare reforms ought to be.

The definitive prohibition on these benefits increases should be a linchpin in any welfare reform effort, and I am disappointed that the conference did not adopt my amendment in this regard. Under my amendment, we would have told mothers already on welfare that if they decide to have another child, the Federal will not subsidize that choice. My amendment made clear that families on welfare would be faced with the same choices as every other American family: Can we afford another child, and how will we stretch our budget to meet these choices?

I would highlight that these reforms have already generated bipartisan support. They were

sponsored by a Democrat, African-American Assemblyman, adopted by New Jersey's Democratic legislature, and signed into law by a Democratic Governor. The Bush administration gave Federal approval to this provision last year. This was a key component of New Jersey's pioneering welfare reform package of 2 years ago, and garnered national attention.

Perhaps most important, earlier this week, New Jersey's welfare administration reported that in the first 2 months of this program, pregnancies among welfare mothers decreased 18 percent. This fact alone indicates that these provisions must be included in any full-scale reform that comes before the House of Representatives.

One additional area in which I feel our welfare reform effort is lacking is child support enforcement.

During consideration of this package in conference, I offered a comprehensive child support enforcement amendment to the provisions contained in the Republican task force package. My amendment was identical to legislation I introduced earlier this year, H.R. 1600, which implements the recommendations of the U.S. Commission on Interstate Child Support Enforcement. The failure of the conference to adopt this amendment represents, to me, a step backward. Clearly, we cannot have any real, comprehensive welfare reform without equally strong reform of our child support enforcement system.

Mr. Speaker, the importance of a strong child support title in any welfare system package cannot be understated. Invariably, child support enforcement is welfare prevention. Nonsupport of children by their parents is one of the primary reasons families have to resort to the welfare system in the first place.

The timely payment of court-ordered support is the fulfillment of a moral and legal obligation. If we are to advance real welfare reform, we must do everything in our power to ensure that these obligations are met.

Make no mistake about it: Failure to pay child support is not a victimless crime. The children going without these payments are the first victims. But ultimately, society and the American taxpayers are the victims, as they shoulder the burden of paying the welfare bill for those who do not meet their obligations.

Effective child support enforcement keeps people off the public dole, and actually saves the Federal Government money. This is broadly recognized across the board: The National Taxpayers Union estimated that the comprehensive provisions of my amendment would save \$25 million in Federal dollars the first year alone.

The Republican task force package before us contains the beginnings of child support reform, and my amendment incorporates most of those recommendations. However, my amendment goes much further in addressing the underlying flaws in our child support enforcement system, and making much needed

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

changes across the board. As every national authority on child support will affirm: A national child support enforcement system is an essential component of welfare reform. Moreover, our national enforcement system is only as good as our interstate collection mechanisms.

I was a leading voice in this debate, on both the Child Support Enforcement Amendments of 1984, and the Family Support Act of 1988. For the last 2 years, I have served as a member of the U.S. Commission on Interstate Child Support Enforcement, which last summer issued a comprehensive report, and recommendations for change, of our interstate child support system.

For example, only my amendment contains bold new initiatives to establish paternity—the most crucial element for establishment and collection of court-ordered child support. H.R. 1600 requires new paternity establishment initiatives, including mandatory hospital-based paternity programs. It simplifies paternity establishment process, and, in contested paternity, shifts the burden of proof to a father who has already acknowledged paternity.

My bill simplifies location of noncustodial parents and support order establishment, and creates a new line on the Federal W-4 for every new employee to indicate child support obligations. At the same time, we update the national computer network connecting State child support offices.

My amendment requires all States to make it a crime to willfully fail to pay child support.

For the first time, my amendment definitively allows States to serve child support orders on out-of-State employers. As the U.S. Commission noted, this direct service is one of the most successful methods of child support enforcement available, with success rates of 80 percent and more when used.

Finally, my bill addresses the important gaps in our present system, requiring States to withhold drivers' and occupational licenses from deadbeat parents; increasing the use of credit reporting and garnishment; and requiring uniform, national subpoenas to simplify burdensome paperwork requirements.

Mr. Speaker, in closing I would stress again: Failure to pay child support is not a victimless crime—first, and above all, the children pay; all too often, however, society and the taxpayers are left holding the bag for these deadbeat parents.

A comprehensive child support title must be an essential component of welfare reform—any welfare legislation that does not address this fundamental fact can be, at best, fragmentary and insufficient. Interstate child support is the missing link in our national system, as our national system can only be as strong as the interstate enforcement mechanisms. No comprehensive solution will be achieved as long as the strongest States are held back by the weakest ones.

In the months to come, I will be working to ensure bipartisan support for inclusion of these comprehensive child support enforcement provisions in any welfare reform package debated in Congress. I encourage my colleagues to join me in these efforts, and put forth real and effective welfare reform.

LET'S REMEMBER OUR VETERANS

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 10, 1993

Mr. DINGELL. Mr. Speaker, I rise today to pay tribute to the brave and patriotic Americans who have served our Nation. Since its founding, the United States has fought in 11 major wars and many smaller conflicts. During these periods of strife, more than 40 million Americans have served in our military forces. Their courageous deeds have helped to ensure that democracy and freedom prevail in this country, and throughout the world.

Tomorrow, November 11, we celebrate Veterans Day. Veterans Day provides us with an opportunity to recognize the enormous accomplishments and the great sacrifices that the veterans of our Nation, both past and present, have made. Veterans Day is also a day of peace; peace made possible through the valiant efforts of these American patriots. November 11 truly is a fitting day to pay tribute to these special individuals and their achievements, because on that date in 1918, an armistice between the Allies and the central powers was signed. This agreement brought an end to the fighting of World War I.

As we prepare to celebrate this Veterans Day, it is important to remember all who have served our Nation. In the coming year, we will commemorate the 50th anniversary of many critical moments of World War II. For example, June 6, 1994, will mark the half-century point since Allied Forces landed on the beaches of Normandy, France for the D-Day invasion. Since World War II, American soldiers have also been called to arms throughout the world in places such as Vietnam, Korea, Lebanon and the Persian Gulf.

Today, despite the end of the cold war and subsequent breakup of the former Soviet Union, we continue to call upon our Armed Forces to help defend the principles upon which this Nation was founded. The present situation in countries such as Bosnia, Haiti, and Somalia illustrates that there are still many threats confronting us. Thankfully, we still have brave men and women who stand ready to help ensure that the flames of freedom and democracy continue to burn brightly.

Each of us owes a deep debt of gratitude to our veterans, and to the men and women serving in our Armed Forces. I am proud to join with my colleagues, and the people of this great Nation, as we pay tribute to those brave Americans who have defended this country and safeguarded our future.

A TRIBUTE TO COURAGE

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 10, 1993

Mr. BROWN of California. Mr. Speaker, Martin Luther King, Jr., said:

The ultimate measure of a man is not where he stands in moments of comfort and convenience, but where he stands at times of challenge and controversy.

Throughout the 217-year history of America's struggles, triumphs and determination, there have always been courageous individuals ready to defend the ideals of this great Nation. Among the myriad of brave Americans that have stood steadfast against the tide of oppression and threats to our way of life, as well as the challenges and controversies of their own times, one group stands out for their sacrifice and commitment to duty. Today we honor our American veterans everywhere, not only for leaving hearth and home to fight an unrelenting stream of conflicts, but for serving our Nation in the highest station available to any citizen—as protectors of our ideals and dreams.

Too often in the present day, many Americans have seemingly forgotten the meaning of our holidays. The first, and often unimpaired definition of a holiday is as a holy day—a day of reverence and respect for what is good, not only of God, but in mankind as well. When Veterans Day was first enacted into law it was to commemorate the armistice of 1918 and then later amended to include the end of war in 1945. Now, it encompasses so much more. It is and always shall be a tribute to the proud resolve of America's fighting men and women, of any era, who have bravely endured through 10 major wars and numerous clashes.

More than just a tribute to the pain any one of them has had to bear, it is a tribute to the resiliency of the human spirit, present in the hearts and minds of our veterans. It has been hypothesized that, "A hero is no braver than an ordinary man, but he is brave five minutes longer." That is what we are honoring today, those proverbial 5 minutes of each veteran's life. Those 5 minutes in which our veterans reached deeper into themselves than they had ever before—resisting their fear and surging on for their fellow Americans back home and their friends on the battlefield all around them. By paying respect to those 5 minutes, we are rewarded with a glimpse into some of the best qualities inside us all that we have the potential to realize. The qualities of loyalty, perseverance and courage.

When I talk of the courage that veterans have displayed so many countless times, I am not talking of the term courage as it is today—a term cheap with overuse. When I talk of courage, I talk of the true courage that is found in veterans everywhere. The courage that President John F. Kennedy described as when, "A man does what he must—in spite of personal consequences, in spite of obstacles and dangers and pressures—that is the basis of all morality." When Veterans Day commemorates the courage of this extraordinary group of people, it commemorates the courage to do what is right, rather than what is easy and uncomplicated.

Now more than ever, we as Americans must respond to the courage our veterans found within themselves for this country and the rest of the world. When our veterans call upon their fellow Americans for assistance we cannot be impassive to their very real needs. If a veteran needs, desires, and has earned a greater education, then we must follow through on our commitment to provide that education. If a veteran seeks to find work, then we must provide that veteran with the training to prepare for a good-paying civilian

job, so that we will have done everything possible to make sure that veteran's search for employment was not in vain. If a veteran falls sick, we must nurse him or her back to health. After depending on them for so long to defend our ideals, we have to prove that the ideals of freedom, democracy, and opportunity that they fought for still exist. If we turn our backs to them, we turn our backs to all that is good and fundamental in our Nation. If we ignore their pleas, then we take one more disastrous step towards snuffing out the light that makes us the shining hope to the masses around the world. If we fail them, we will surely fail ourselves and all that we stand for.

At the same time, that is not to say that we veterans do not have a role to continue to fulfill in our country as well. We already have defended the ideals that America was founded on in the face of nearly overwhelming adversity, and we have to realize our fight is far from over. We now have to battle some of the fiercest enemies our Nation has ever faced—the enemies of cynicism, complacency, and apathy. We must help define America's vision of its role in our vastly changing world by reminding our fellow Americans of the good in our country, and our subsequent responsibilities. We, by being active participants in the very process of democracy we have guarded over, have the opportunity to demonstrate that significant objectives can be reached by possessing courage. Courage not against some tangible foreign despot or an evil empire, but courage against the faceless monster of our own doubts, fears, and indifference.

I know that all of you join me on this Veterans Day of November 11, 1993, in tribute to the courage and resolve of our brave American veterans who sacrificed a great deal to keep the ideals of this grand Nation alive through the tumultuous mosaic we know as American history. And I also know that we can join together as a committed citizenry in the fight to keep the ideals of our country, that our brave veterans fought so hard to protect, alive not just in the hearts of others in foreign lands who idolize American from afar, but in our own hearts and dreams as well.

**LET'S ALL JOIN IN CELEBRATION
OF THE 218TH BIRTHDAY OF THE
U.S. MARINE CORPS**

HON. ROBERT K. DORNAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 10, 1993

Mr. DORNAN. Mr. Speaker, I ask my colleagues and all of the citizens of this great country to join me in congratulating the few, the proud, the brave men and women of the U.S. Marine Corps who today are celebrating the 218th anniversary of the birth of the corps.

I will include for the RECORD a description about the creation of the Marine Corps in 1775 and a brief summary of the history of the Marines from the Shore of Tripoli in 1805 to humanitarian operations in Somalia earlier this year. Semper parati!

USMC—CONGRESSIONAL HERITAGE

On Friday, 10 November 1775, Colonel Benedict Arnold stood on the banks of the St.

Lawrence River and looked in frustration across a mile of storm-whipped water at the grand objective—Quebec. It was critical that Arnold's Army execute the crossing before British reinforcements arrived.

Outside Boston on that same day, General George Washington and his army were encamped at Cambridge. Although reasonably provisioned, there were shortages of blankets, uniforms, and powder.

In Philadelphia that Friday morning, the Second Continental Congress considered the situations near Quebec and Cambridge. At ten o'clock, the President of the Congress, John Hancock, convened the Congress. Major items of discussion focused on relieving pressure on Arnold's Army by securing Nova Scotia and then resupplying Washington's Army with its captured supplies.

The success of the Nova Scotia plan called for the creation of two battalions of Marines from Washington's Army. Accordingly, the Continental Congress resolved that two battalions of Marines would be raised and that they would be able to serve to advantage by sea when required. They would be distinguished by the names of the First and Second Battalions of American Marines.

General Washington considered the decision to raise the Marine battalions from his Army impractical because his army was reorganizing. Undaunted, Congress relieved Washington of this responsibility and ordered that the Marine battalions be created independently of the army.

The expedition to Nova Scotia was eventually abandoned, but the Congress refused to abandon the resolution to form the Marine battalions. In a time of distress and despite objections, the Continental Congress persevered and perpetuated the idea of a Corps of Marines. In the following decades and centuries, the Congress has continued to nurture and support America's Marines.

In the aftermath of WWII, Congress directed the maintenance of a versatile expeditionary force in readiness. The Congress said such a ready force, highly mobile, always at a state of readiness, can be in a position to hold full-scale aggression at bay while the American nation mobilizes its vast defense machinery. This expeditionary capability remains the hallmark of the Marine Corps.

Throughout our 218 year history, the United States Marine Corps has been privileged to maintain a unique relationship with the Congress of the United States. We are pleased to have the opportunity to share with Congress this observance of the 218th birthday of the United States Marine Corps.

The United States Marine Corps is America's foremost force in readiness. Characterized by its amphibious, expeditionary, and combined arms capabilities, the Marine Corps is a uniquely organized, responsive, and sustainable military force.

As a regular branch of our country's armed services, the Marine Corps was founded by a 10 November 1775 resolution of the Continental Congress. Since then, Marines have served our Nation in numerous conflicts.

We were with John Paul Jones and General George Washington during the American Revolution.

We stormed the "Shore of Tripoli" in 1805 and raised the United States Flag for the first time in the Eastern Hemisphere.

We were the first United States troops to enter the capital and to occupy the "Halls of Montezuma" in Mexico City during the Mexican War.

We were at Bull Run and New Orleans during the Civil War, in Cuba and the Philippines during the Spanish-American War, and in China during the Boxer Rebellion.

We fought gallantly at Belleau Wood, Soisson, St. Michiel, and the Argonne during World War I.

We pioneered the concept of close air support in Nicaragua as Marine Aviators flew the first air missions in support of infantry forces.

We confirmed the validity of amphibious warfare at Guadalcanal, Bougainville, Tarawa, Saipan, Iwo Jima, and Okinawa during our legendary World War II island campaign in the Pacific.

We executed a classic amphibious assault at Inchon, became the first military to conduct helicopter operations in battle, and destroyed seven enemy divisions at the Chosin Reservoir during the Korean Conflict.

We added to our lineage the names Da Nang, Hue City, Phu Bai, and Khe Sanh during the Vietnam Conflict.

We supported our Nation's interests in Beirut, Grenada, and Panama, and adopted new techniques, such as Vertical Short Take-Off Landing high-performance aircraft, and new concepts, such as Maritime Prepositioning Ships.

We demonstrated our expeditionary responsiveness, combat readiness, and logistical sustainability in defeating Iraqi aggression and liberating Kuwait during the Gulf War.

We demonstrated our humanitarian capabilities by distributing food to the starving people of Somalia, thereby Operation Restore Hope became the latest campaign in 218 years of proud and faithful service to our Country and Corps.

Today we celebrate that heritage in our traditional Marine Corps Birthday Ceremony.

**THOMAS D. MIGNANELLI
RECEIVES KIM AWARD**

HON. HENRY A. WAXMAN

OF CALIFORNIA

HON. HOWARD L. BERMAN

OF CALIFORNIA

HON. JULIAN C. DIXON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 10, 1993

Mr. WAXMAN. Mr. Speaker, we ask our colleagues to join us in congratulating Thomas D. Mignanelli for receiving the Helen K. Kim Memorial Award from Athletes & Entertainers for Kids.

The Kim Award was established to recognize business leaders who have a profound and continuous commitment to the public good. Thomas D. Mignanelli, retired president and chief executive officer of Nissan Motor Corp. of the USA, has an impressive history of bringing corporate assistance to athletes and entertainers who work to improve the lives of children and youth in our community.

On November 16, 1993, the Kim Award will be jointly presented to Mr. Mignanelli by Kareem Abdul-Jabbar and Kathy Ireland at the Harper's Bazaar Charity Soiree.

We salute Mr. Mignanelli and extend our thanks and best wishes to him.

IMPROVING THE DISABILITY CLAIMS GRIDLOCK IN THE SOCIAL SECURITY PROGRAMS

HON. BILL ARCHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 10, 1993

Mr. ARCHER. Mr. Speaker, today I am introducing the Social Security Procedural Improvement Act of 1993, a bill I have introduced in the past four Congresses. The disability program has reached near gridlock, and it is past time we took steps to streamline the process to make it more responsive to the public it serves and to ensure greater uniformity in a national program.

Essentially this is the same bill I first introduced in March 1986. I am convinced that the three main provisions of this bill are necessary. Those three provisions would: First, liberalize the criteria under which disability determinations for Social Security are administered; second, eliminate the appeals council and the review performed by it, and third, create a Social Security court, a proposal first advanced by my colleague JAKE PICKLE.

Let me expand on these provisions. The first would permit the Secretary of HHS to federalize State agencies at any time to assume the effective, equitable, and uniform administration of the program. This differs from current law which obligates the Secretary to show that the State agency has substantially failed to make decisions in accord with laws and regulation. This assures that the Secretary has the authority to federalize the disability program.

The States were initially given the responsibility because of their closer links to the medical community—from which reports would be needed—and because of the State link with vocational rehabilitation. Both rationales have been overtaken by program history and are no longer as relevant or important as the ensuring of effective, equitable, and uniform national administration of the disability program.

Let me assure you that this bill provides for fair and equitable treatment of the State employees who may be federalized. The disability determination process requires their continued expertise, and this bill provides an orderly and fair transition to Federal employment, with protections to ensure pay, leave, and pension benefits reasonably equivalent to Federal employees, so federalizing certain State agencies can be done in a cost-effective manner.

Second, it eliminates the appeals council, and the review performed by it, which is the third and final administrative appeal. This provision is intended to streamline the entire appeals process by eliminating a paper review of the decisions of administrative law judges. In fiscal 1993 that review took an average of 4 months and reversed only 4 percent of the cases appealed. I believe the applicants will benefit by quicker access to the new Social Security court.

I am heartened to report that on October 21, 1993 the Social Security Subcommittee held a hearing on the issue of the creation of a Social Security court. I advocated this bill's approach at that time and as I do now. The time

has come to get these cases out of the backlog of the district courts and into more specialized hands. SSA simply cannot administer the chaos created by the situation today.

In this context, the bill further provides that all appeals from this court would be channeled to the U.S. Court of Appeals for the Federal Circuit, again eliminating the potential for multiple and contradictory court decisions on a variety of highly technical program issues. I think it is important to note that the intent of this provision is not so much to stifle legal interpretation of statutory and regulatory requirements as to quantify those interpretations, so that the issues and costs can be resolved more speedily by the administration and Congress. The bill contains an adequate transitional period and mechanism to process pipeline cases, so those applicants caught in the transition should not be affected adversely.

This year my bill has two new features. SSA has, under demonstration project authority we enacted in 1980, been conducting case management pilot studies. Case management refers to front end services designed to help those able to return to work. Since SSA has lost control of the continuing disability review process, it is clear to me that we must invest more effort initially to identify and assist those who would benefit from such services. My bill requires that SSA add to its report on the pilot projects a legislative proposal to implement case management services on up to one-third of all beneficiaries by December 31, 1997, and up to one-half by December 31, 1999. This ought to give SSA the time and flexibility it would need to develop a plan it could live with.

Finally, there are small administrative costs associated with this bill, so as an offset I propose to eliminate survivor benefits which are payable solely on the basis of currently insured status. Currently insured covers the worker who had worked as little as 1½ years in the 3 years prior to death. In a fully mature program, that amounts to a windfall. I should make clear that my provision does not penalize younger workers. A year and a half of covered employment, or six quarters of coverage, fully ensures the young worker who dies before age 30.

SSA does not anticipate any immediate costs for this bill and cannot project a long term impact on the program. Personally I believe national uniformity would produce some substantial savings and more accurate determinations, as well as administrative savings, when compared to the current practice of administering divergent standards among differing circuit courts.

I commend these measures to all of my colleagues, and urge those on the Ways and Means Committee to consider the Social Security Procedural Improvement Act of 1993 as expeditiously as possible.

U.N. PEACEKEEPING—PART III

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 10, 1993

Mr. HAMILTON. Mr. Speaker, today I am submitting correspondence I received from the

State Department which includes the tentative forecast of the U.N. Security Council's program of work for November. As Ms. Sherman indicates, this program of work is subject to change. However, I believe this document provides useful information to Members interested in following the work of the Security Council.

I commend the administration for providing this information in an effort to keep Congress informed on the Security Council's work.

U.S. DEPARTMENT OF STATE,
Washington, DC, November 5, 1993.

HON. LEE H. HAMILTON,
Chairman, Committee on Foreign Affairs, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN, in accordance with the Administration's desire to keep the Congress informed of the work of the United Nations Security Council on peacekeeping operations, I am enclosing with this letter the tentative forecast of the program of work of the Security Council for November. This unofficial document is prepared by the U.N. Secretariat staff solely to assist the Council President and Members in planning the program of work for the month. As such it reports recent activities and forecasts what action may be required during the month.

We caution that the program of work of the Security Council is decided by the members and is subject to change at any time depending on circumstances. The forecast is thus only a reasoned estimate of future action. It is also worth mentioning that some items are listed by the Secretariat only as a reminder to the Members that the Council is still seized with them, but with no requirement that the item will be taken up by the Council.

Representatives from the State Department and the U.S. Mission to the U.N. will continue to convene briefings on Capitol Hill to discuss peacekeeping operations with Members and staff. Please feel free to contact us if you have questions or points to raise regarding these matters.

Sincerely,

WENDY R. SHERMAN,
Assistant Secretary,
Legislative Affairs.

TENTATIVE FORECAST OF THE PROGRAMME OF WORK OF THE SECURITY COUNCIL FOR THE MONTH OF NOVEMBER 1993

AFRICA

Angola

By resolution 864 (1993) of 16 September, the Security Council requested the Secretary-General to submit to it "as soon as the situation warrants, and in any case in good time before 1 November 1993 and again before 15 December 1993", a report on the situation in Angola and the implementation of that resolution.

The Secretary-General submitted his report on 27 October (S/26644). In this context, a draft presidential statement is being considered by the members.

Burundi

In a statement made by the President of the Council at the 3297th meeting on 25 October 1993, (S/26631) the Council requested the Secretary-General to monitor and follow closely the situation in Burundi, in close association with the Organization of African Unity (OAU), and to report to the Council thereon urgently. It also took note with appreciation of the dispatch by the Secretary-General of a Special Envoy to Burundi.

Libyan Arab Jamahiriya

On 13 August 1993, the Security Council, pursuant to paragraph 13 of resolution 748

(1992), reviewed the sanctions against Libya and concluded that there was no agreement that the necessary conditions existed for modification of the measures of sanctions established in paragraphs 3 to 7 of resolution 748 (1992) (S/26303).

In a tripartite declaration issued on 13 August 1993 (S/26304) by France, the United Kingdom and the United States, the three Governments asked the Secretary-General to take the necessary steps to achieve the full implementation by the Libyan Government of resolution 731 (1992) within 40 to 45 days. They also stated that if, by 1 October 1993, the Libyan Government had failed to comply with resolutions 731 (1992) and 748 (1992), they would table a resolution strengthening the sanctions in key oil-related, financial and technological areas.

In a letter dated 22 September 1993 to the Secretary-General (S/26500), Libya submitted a set of questions to be put to France, the United Kingdom and the United States, as well as to the members of the Security Council with a view to seeking a definitive clarification of the understanding that the three States have of resolution 731 (1992) and to obtaining a precise response thereto.

On 1 October 1993, a draft resolution, submitted by France, United Kingdom and United States, was circulated informally to Council members.

Mozambique

By resolution 863 (1993), adopted on 13 September 1993, the Security Council welcomed the Secretary-General's intention to send a survey team of experts in connection with the proposed UN police contingent and to report thereon to the Council. It also requested the Secretary-General to keep the Council informed of developments regarding the implementation of the provisions of the General Peace Agreement and to submit a report thereon in good time before 31 October 1993.

By resolution 879 (1993) of 29 October 1993, the Security Council decided, pending examination of the report of the Secretary-General due under resolution 863 (1993), to extend ONUMOZ's mandate for an interim period terminating on 5 November 1993.

Somalia

By resolution 814 (1993) of 26 March, the Security Council authorized the mandate for the expanded UNOSOM (UNOSOM II) for an initial period through 31 October 1993. It also decided to conduct a formal review of the progress towards accomplishing the purposes of resolution 814 (1993) no later than 31 October 1993.

By resolution 865 (1993) of 22 September, the Security Council requested the Secretary-General to direct the urgent preparation of a detailed plan setting out UNOSOM II's future concerted strategy with regard to humanitarian, political and security activities and to report thereon as soon as possible. It also requested the Secretary-General to keep the Council fully informed on a regular basis on the implementation of this resolution.

By resolution 878 (1993) of 29 October, the Security Council extended UNOSOM II's mandate for an interim period terminating on 18 November. It also requested the Secretary-General to submit a report concerning the further extension of UNOSOM II's mandate in good time before 18 November, in accordance with the request of the Secretary-General contained in his letter of 28 October 1993 (S/26663), to include recent developments in Somalia as well.

Western Sahara

It is the intention of the Secretary-General to submit a report during the second half of

November in pursuance of Security Council resolution 809 (1993). The report will include an update on the monitoring of the ceasefire, progress made in the work of the identification commission and a timetable for the registration process, further efforts concerning the interpretation and application of the criteria for vote eligibility and prospect for the holding of an early referendum.

AMERICAS

El Salvador

By resolution 832 (1993) of 27 May, the Security Council enlarged the mandate of the United Nations Observer Mission in El Salvador (ONUSAL) to include an electoral component for elections in spring 1994. It also decided that the enlarged mandate would be extended until 30 November 1993 and that it would be reviewed at that time on the basis of the recommendations to be presented by the Secretary-General. It further requested the Secretary-General to keep the Council fully informed of developments in the El Salvador peace process and to report on the operations of ONUSAL at the latest before the expiration of the new mandate period.

1. Commission on the Truth

In connection with the recommendations of the Truth Commission, the Secretary-General stated, in his report of 21 May 1993 (S/25812), his obligation to verify implementation of the Commission's recommendations and to report thereon at regular intervals to the Security Council.

The Secretary-General submitted his first report on the status of the implementation of the recommendations of the Truth Commission on 14 October 1993 (S/26581).

2. Electoral Process

Pursuant to resolution 832 (1993) of 27 May in which the Council requested the Secretary-General to keep it informed of further developments in the El Salvador Peace process and to report on the operations of ONUSAL, the Secretary-General, on 20 October, submitted his first report on the observations of the electoral process due to conclude with the general elections to be held in El Salvador in March 1994 (S/26606).

3. Human rights

By a * * * the Secretary-General transmitted a report of the Director of the Human Rights Division of the United Nations Observer Mission in El Salvador, covering the period from 1 May to 31 July 1993.

Haiti

In a statement made by the President at the 3301st meeting on 30 October 1993, the Council reaffirmed that the Governors Island Agreement remained fully in force as the only valid framework for the resolution of the crisis in Haiti, and expressed its readiness to strengthen the sanctions already in force if the military authorities continued to interrupt the democratic transition. In this regard, it requested the Secretary-General to report urgently to the Security Council (S/26668).

ASIA

Cambodia

By resolution 860 (1993) of 27 August, the Security Council approved withdrawal plans for UNTAC and confirmed that UNTAC's functions would end upon the creation in September of the new Cambodian Government. It also decided that, in order to ensure a safe and orderly withdrawal of the military component of UNTAC, the period of such withdrawal should end on 15 November 1993.

In a letter dated 12 October (S/26570) to the Secretary-General, the members of the

Council invited the Secretary-General to submit as soon as possible a further report setting out in greater details the proposed objectives and terms of reference of a team of 20 military liaison officers, together with detailed plans for its dispatch and an estimate of the resources required. They also invited the Secretary-General to consider and address the implications of the possibility of incorporating the officers in the United Nations office to be established in Cambodia. The Secretary-General submitted his report on 27 October 1993 (S/26649).

In response to a letter dated 28 October 1993 from the Secretary-General concerning the extension of deployment of certain categories of UNTAC military personnel and the extension of deployment of the existing members of the mine clearance and training units of UNTAC, a draft resolution has been circulated for consideration by the members.

Iraq

Review of Sanctions

Under resolution 687 (1991) and other relevant resolutions, the Security Council mandated itself to undertake reviews of the status of the sanctions and other procedures established by the Council in connection with the situation between Iraq and Kuwait.

Three of those reviews will fall due on 18 November 1993, as indicated below:

1. Paragraph 21 of resolution 687 (1991) (economic sanctions)

Under the above-mentioned paragraph, the Security Council is required to review every 60 days the provisions of paragraph 20 of that resolution in the light of the policies and practices of the Government of Iraq. The purpose of the review is to determine whether there are grounds for lifting or varying the prohibitions referred to in paragraph 20. The review will be the 16th in the series.

2. Paragraph 28 of resolution 687 (1991) (review of the Council's decisions in paragraphs 22 to 25)

Under the above-mentioned paragraph, the Security Council is required to review every 120 days the provisions set out in paragraphs 22, 23, 24 and 25 of that resolution. The forthcoming review will be the 8th in the series.

3. Paragraph 6 of resolution 700 (1991) (review of the guidelines to facilitate full implementation of paragraphs 24, 25 and 27 of resolution 687 (1991))

Under the above-mentioned paragraph, the Security Council decided to review the Guidelines for the implementation of the relevant provisions of resolution 687 (1991) at the same time as its regular reviews called for in paragraph 28 of that resolution. The forthcoming review will be the 8th in the series.

Tajikistan

In a statement made by the President, at the 3266th meeting on 21 August 1993 (S/26341), the Council welcomed the Secretary-General's proposal to extend the mandate of his Special Envoy until 31 October 1993 and to extend the tenure of United Nations officials in Tajikistan for a period of three months. The Council also looked forward to receiving periodic reports from the Secretary-General. In a letter dated 10 September 1993, the Secretary-General gave an account of contacts and efforts undertaken by him and by his Special Envoy. It is expected that the Secretary-General will submit another periodic report in early November.

In a letter dated 27 October 1993 to the President of the Council (S/26659), the Head of State of the Republic of Tajikistan requested a meeting of the Security Council to consider the continued tension on the Tajik-Afghan border.

MIDDLE EAST

Deportation of Palestinians: Pursuant to resolution 799 (1992), the Secretary-General submitted a report dated 25 January 1993 on the three missions undertaken by his representative to the Middle East (S/25149).

UNDOF

By resolution 860 (1993) of 26 May, the Security Council renewed the mandate of UNDOF for a period of six months, until 30 November 1993, and requested the Secretary-General to submit, at the end of this period, a report on developments in the situation and the measures taken to implement resolution 338 (1973).

EUROPE

Bosnia and Herzegovina

1. Massacre at Stupni Do

In a statement made by the President of the Council (S/26661), the members requested the Secretary-General to submit as soon as possible a complete report on the responsibility for the violations of international humanitarian law.

2. Safe areas

In resolution 844 (1993) of 18 June, the Security Council decided to authorize the reinforcement of UNPROFOR to meet the additional force requirements mentioned in paragraph 6 of the report of the Secretary-General (S/25939) and invited the Secretary-General to report to the Council on a regular basis on the implementation of resolutions 836 (1993) and 844 (1993).

3. Geneva talks

In a letter dated 23 September 1993, the Secretary-General transmitted a report by the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia on the latest developments in the search for peace in Bosnia and Herzegovina (S/26486).

A follow-up report by the Co-Chairmen is expected.

4. Assassination of Deputy Prime Minister

In his statement of 8 January 1993, the President of the Council said that on receipt of the Secretary-General's report on the assassination of the Deputy Prime Minister of Bosnia and Herzegovina, the Council would "reconsider the matter forthwith".

Cyprus

By resolution 831 (1993) of 27 May 1993, the Security Council decided to conduct a comprehensive reassessment of UNFICYP at the time of reconsideration of the Force's mandate in December 1993. In that context, it requested the Secretary-General to submit a report one month before that assessment, to cover all aspects of the situation.

By resolution 839 (1993) of 11 June, the Council requested the Secretary-General to continue his mission of good offices, to keep the Security Council informed of the progress made and to submit a report on the implementation of the resolution by 15 November 1993 as part of the report called for in resolution 831 (1993).

In response to the Secretary-General's report on his mission of good offices in Cyprus dated 14 September 1993 (S/26438), the members of the Council expressed their continuing support for the Secretary-General's efforts and looked forward to receiving his report requested in resolution 831 (1993). On the basis of that report, the members of the Council will undertake a thorough review of the situation and, if necessary, consider alternative ways to promote the implementation of the resolution on Cyprus (S/26475).

Georgia

By resolution 858 (1993) of 24 August, the Security Council decided to establish a United Nations Observer Mission in Georgia

(UNOMIG) and decided that "UNOMIG is established for a period of six months subject to the proviso that it will be extended beyond the initial 90 days only upon a review by the Council based on a report by the Secretary-General." It also requested the Secretary-General to report as appropriate, but in any event within three months, on the activities of UNOMIG.

In his report dated 7 October (S/26551), the Secretary-General gave a brief account of the initial effort to implement the mandate of UNOMIG and outlined the efforts to start a political process and the implications of the new situation which had arisen as a result of the collapse of the cease-fire and the ensuing military advances by the Abkhaz party. He also stated that he hoped to be in a position within two weeks to present recommendations to the Council relating to the future of UNOMIG and to the political aspects of the United Nations peace making role.

In a report dated 27 October 1993 (S/26646), the Secretary-General gave an account of the political efforts undertaken by his Special Envoy and the status of the mandate of UNOMIG, together with his recommendation for the continuation of the operation for three months. An addendum containing the financial implications of the operation will be submitted shortly (S/26646/Add.1).

In a letter dated 28 October 1993, the Permanent Representative of Sweden, in his capacity as representative of the Chairman-in-Office of the CSCE, transmitted informally a report of the CSCE mission to Georgia.

Nagorny Karabake

In resolution 874 (1993) of 14 October, the Council requested the Secretary-General, the Chairman-in-Office of the CSCE and the Chairman of the CSCE Minsk Conference to continue to report to the Council on the progress of the situation on the ground, and on present and future cooperation between the CSCE and the United Nations in this regard.

In letters of 26 October 1993 (S/26647), of 27 October (S/26650) and of 28 October (S/26662), Azerbaijan, Turkey and the Islamic Republic of Iran, respectively, requested an urgent meeting of the Security Council.

The Former Yugoslav Republic of Macedonia (FYROM)

In a letter to the Secretary-General of 6 October 1993, Mr. Cyrus Vance reported on his mission of good offices aimed at resolving the differences between Greece and the FYROM. He stated that the parties had agreed to defer further direct talks until a new Greek Government had been formed and that the new Parliament was scheduled to convene on or about 23 October. Consequently, he added that he was ready to assist the two sides to resume direct discussions on a continuous basis if and when it proved feasible.

OTHER MATTERS

ICJ Elections

By a note dated 27 September 1993 (S/26490), the Secretary-General stated that a communication dated 2 March 1993 was addressed to the States parties to the Statute of the International Court of Justice, drawing attention to the fact that the terms of office of five current members of the ICJ would expire on 5 February 1994.

In conformity with articles 4 and 13 of the Statute of the Court, the General Assembly and the Security Council during the 48th session of the General Assembly will elect five judges for a period of nine years, beginning on 5 February 1994.

The election in the General Assembly and the Security Council is scheduled for 10 November 1993.

Agenda for Peace

1. Regional arrangements and organizations

On 28 June, pursuant to the Presidential statement of 28 January (S/25184), the Secretary-General submitted a report concerning the replies received from regional arrangements and organizations (S/25996 and Corr. 1 and Add. 1-4).

2. Arrangements under Article 50 of the Charter

Pursuant to the Presidential statement of 30 December 1992 (S/25036), the Secretary-General will report to the Council on the question of special economic problems of States as a result of sanctions imposed under Chapter VII of the Charter.

3. New approaches to peace-keeping operations

Pursuant to the Presidential statement of 28 May 1993 (S/25859) the Secretary-General will submit a report to the Council.

KEY DOCUMENTS PROVE INNOCENCE OF JOSEPH OCCHIPINTI

HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 10, 1993

Mr. TRAFICANT. Mr. Speaker, as part of my continuing efforts to bring to light all the facts in the case of former Immigration and Naturalization Service agent Joseph Occhipinti, I submit into the RECORD additional key evidence in this case.

EXHIBIT E—AFFIDAVIT

1. I have been voluntarily working as an undercover agent for Staten Island Borough president Guy V. Molinari in order to prove the existence of a drug cartel conspiracy against former Immigration & Naturalization Service Officer Joseph Occhipinti, which resulted in his conviction for civil rights violations. This affidavit is the third affidavit I have executed which outlines the important results of my undercover investigation.

2. On or about April 15, 1992, I agreed to make busy of gambling bolitas from various bodegas owned by the various government complainants who testified against Mr. Occhipinti. The purpose of the buys was to demonstrate to New York Post Reporter Miguel Garcilazo that these very same complainants who portrayed themselves as law abiding, were still involved in criminal activity. I was given the buy money from the New York Post and my conversations with the bodega employees were consensually monitored. The investigation resulted in busy of gambling bolitas being made from the following Bodegas. The bolitas were turned over to New York post reporter Garcilazo: (A) Crucey Grocery, 3882 Broadway, New York, New York; (B) Liranzo Grocery, 383 Audobon Avenue, New York, New York; (C) Johnny & Ray Grocery, 4167 Broadway, New York, New York; (D) Yeya Grocery, 1608 St. Nicholas Avenue, New York, New York; (E) Medina Grocery, 1502 St. Nicholas Avenue, New York, New York; and (F) J & M. Grocery, 275 Wadsworth Avenue, New York, New York.

CRUCEY GROCERY

3. On April 25, 1992, I went to the Crucey Grocery Store to meet with Agustin Crucey

and his associates to discuss the purchase of cocaine. I met "Freddy" who I previously identified as a drug associate to Agustin Crucey. Freddy told me that Agustin and Guondoles were out on an errand.

4. On or about May 9, 1992, I again met government complainant Agustin Crucey at the Crucey Grocery to further discuss the purchase of cocaine. I had portrayed myself as a local drug dealer interested in a new drug source. Agustin reconfirmed his interest in selling me cocaine. In fact, despite the shortage of cocaine in the streets, Agustin offered to sell me a kilogram of cocaine for \$27,000. Agustin agreed to introduce me to his drug source. I have formally advised the FBI of Agustin Crucey's drug trafficking activity and my interest in working for them as a confidential informant in order to help prove Mr. Occhipinti's innocence. However, the FBI has not yet contacted me. I also engaged Agustin Crucey into conversation about Mr. Occhipinti's case, however, Agustin Crucey told me that his "attorney" told him not to discuss the case. The conversation with Agustin Crucey was consensually monitored.

5. On June 6, 1992, I went to the Studio 84 Night Club with Agustin Crucey and Guondoles. I explained to them the fact I had set up drug operations in New Jersey and was interested in them (Agustin and Guondoles) as being the new source of my cocaine. As before, they agreed to sell me a kilogram of cocaine for \$27,000 and they would actually deliver the cocaine to New Jersey. I was given a sample package of cocaine from Guondoles after Agustin told him to do so. They also admitted to me that they store their drugs in an apartment on West 160th Street in Manhattan. The sample cocaine was turned over to investigators from Staten Island Borough President Guy V. Molinari's office. The conversation was not tape recorded because everyone who enters the Studio 84 Night Club is searched.

YEVA GROCERY

6. On or about April 28, 1992, I had a conversation with the brother of complainant Jose Elias Taveras. The conversation took place at Concourse Auto Repair located at 245 East 138th Street, Bronx, New York, which is owned by Jose Elias Taveras. The brother, who did not tell me his first name, admitted to me and others that his brother (Jose Elias Taveras) had intentionally perjured himself against Mr. Occhipinti in order to set him up.

EXHIBIT F—AFFIDAVIT

Marino Reyes, being duly sworn deposes and states:

(1) I am the owner of the Jose Grocery store located at 66-72 Fort Washington Avenue, New York, New York.

(2) On or about October 1992, I met with Jose Liberato at his grocery store at West 163rd Street and Broadway, New York, New York in order to buy plantanos for my store. At that time, we were discussing the case of the former Immigration Officer Joseph Occhipinti. Liberato told me that he had to work hard in finding witnesses to falsely testify against Occhipinti. Liberato said he did this because Occhipinti was hurting his operation. I have personal knowledge that Liberato is involved in illegal gambling, loan sharking and food stamp (Wick Program) fraud. I am willing to cooperate with authorities to prove these crimes.

EXHIBIT G—AFFIDAVIT

I, Victoria Lopez, hereby certify that I am an adult over 21 years of age and a resident of the City of New York.

On or about the last week of March of 1990 I was returning from 181st Street where I had just finished paying my Con Edison light bill when I went to Liberato's Bodega located on Audubon Ave. While at the checkout counter and within a few feet of the owner Mr. Jose Liberato, I overheard a conversation he was having with another individual.

I remember the conversation vividly because of the emotion and energy which was shown by Mr. Liberato. I heard him say that he was going to find people to make declarations against the federal agent that had gone to his business, and that he was going to have them lie about their encounter with the agent so that he would never come out of jail. He also boasted of having a lot of money and that he was going to put the agent behind bars no matter the cost.

On or about December 18, 1991 I became aware that Mr. Liberato had accused Immigration Agent Occhipinti of having violated his rights and I knew that this is what he was talking about on that previous occasion.

I make these declarations of my own free will and without threat or coercion.

EXHIBIT H—AFFIDAVIT

William Franz, being duly sworn, deposes and says:

1. I am Executive Assistant to the Hon. Guy V. Molinari, Borough President of Staten Island, New York.

2. I make this affidavit in support of the motion of Joseph Occhipinti for a new trial.

3. On June 10, 1992 I received an audio tape from a confidential source known to me which purports to contain two conversations had on June 3, 1992 and June 4, 1992 between the said confidential source and a Radames Liberato.

4. The confidential source also provided a handwritten translation of the said conversations, copies of which are annexed hereto and made a part hereof. The audio tapes in question are kept in the Office of the Borough President of Staten Island and are available as directed by the Court.

5. In the first of the two conversations, the source claims that Radames Liberato offered to sell a kilogram of cocaine for \$29,000 or a half kilo for \$18,500. In the same conversation the source claims that Liberato is supplied with cocaine by his brother Jose Liberato. He offers to sell from one to ten kilograms and states that it can be bought at the Medina Grocery Store.

6. In the second conversation with Radames Liberato the source claims that Liberato said that he and two others had "taken care of" an agent. He identified them as Radames and Jose Liberato and Elias Taveras.

THE NORTH AMERICAN FREE-TRADE AGREEMENT

HON. NORMAN D. DICKS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 10, 1993

Mr. DICKS. Mr. Speaker, I rise to announce my support for legislation to implement the North American Free-Trade Agreement.

I fully appreciate the very strongly held convictions of those who sincerely oppose this agreement. They include organizations that I have repeatedly supported on a wide range of legislative controversies. I have withheld a commitment on this issue so that I could fully

and carefully consider the very serious arguments raised by the opponents as well as the proponents of the treaty. After weighing all the factors, I must conclude that proceeding with the North American Free-Trade Agreement is in the best interest of the American people and important for our future economic well being.

I share the anger and deep frustration that working men and women have expressed about the repeated announcements of plant closings and massive layoffs. More than 300,000 manufacturing workers have lost their jobs in the last year alone. Corporate leadership in this Nation has been callous to the human costs of economic streamlining. I am obviously ashamed of the conditions that employees in the Maquiladora region must endure. In this environment it is not difficult to understand why workers don't trust employers' assurances that their jobs are not threatened.

If I could be convinced that defeating the NAFTA would stop layoffs, that it would end offshore relocation, and that it would make businesses more enlightened toward the long-term benefits of fair treatment of their workers, I would be first in line to help defeat it. But these problems exist today, and they will continue to exist with or without this agreement. It is my judgment that the labor movement, out of sheer desperation, has targeted the wrong referendum.

The truth is that this agreement transforms the virtual free-trade situation that already exists on goods flowing from Mexico to the United States into a two-way street. Tariffs on goods coming into the United States from Mexico average about four percent at this time, while the Mexican Government levies an average tariff of 10 percent on American goods sold in Mexico. This 2.5-to-1 ratio is magnified in some critical sectors of the marketplace, in which Mexican tariffs are as much as 10 times United States levels. NAFTA also eliminates many of the import restrictions that have forced companies, especially in the automotive field, to locate production facilities in Mexico.

This two-way street is best for both Nations in the long-term. The Mexican Government has recognized that to achieve real economic growth in the longer term, it is important to encourage free and open trade that may involve some short term costs. Even without NAFTA, Mexico ran a \$7.5 billion manufacturing trade deficit with the United States in 1992. This trade is not just equipment to manufacture items for sale into the United States, as some have contended. In fact, 82 percent of the United States export growth from 1987 to 1992 was for Mexican consumption, whereas only 17 percent of the growth was comprised of components for goods exported back to the United States. This growth has taken place because Mexico, despite its real problem of disparity of wealth, has become a major economic market force. And even though the wealth in Mexico is not distributed as equitably as many of us would like, one-quarter to one-third of the population in Mexico still has relatively high real incomes, creating a market nearly the size of Canada's. This is a growing portion of the population, and it will only be encouraged by NAFTA. The bottom line is that the Mexican Government recognizes that world economics is not a zero sum game.

Trade with Mexico is already providing considerable benefit to the State of Washington, where merchandise exports have risen from \$83 million in 1987 to \$565 million in 1992, placing us fifth in the Nation in percentage growth of Mexican trade. Increased protection in the treaty for intellectual property is a key element for expanded trade in the growing software industry in our State and the Boeing Co. has estimated that the commercial aircraft market with Mexico will increase 25 percent by 2010 to about \$10 billion. Mexico has now become the third largest market for American forest products. Overall, the favorable balance of trade for the State of Washington with Mexico is better than 25-to-1.

Highly emotional debate has centered around the jobs impact of NAFTA. While it is impossible to predict with precision how many jobs may be affected, and where they may be affected, the overwhelming majority of studies conducted by objective organizations has indicated a net gain of well paying jobs as a result of the agreement. Overall, the direct economic impact is almost certain to be less than either its proponents or opponents, in a game of rhetorical escalation, now claim.

Clearly, the agreement is not flawless. It is probably impossible to develop an agreement between two sovereign nations that would be fully satisfactory to both. We need to work to assure that Mexican workers receive a fair return on their contribution to items they produce. We need to work with the Mexicans to improve the deplorable environmental and working conditions along our border.

Some believe that by rejecting this agreement we can expeditiously renegotiate an agreement with Mexico that will better address these issues. I am now convinced that the opposite is far more likely. I believe that the rejection of the agreement will set back mutual cooperation, will provide no incentive for Mexico to address these issues, and will provoke a new round of attempts to entice American firms to relocate in Mexico, while maintaining or increasing the current barriers to United States exports. On the other hand, I think the side agreements on labor and the environment, while not all we might want, provide a forum to promote progress in these areas that would not otherwise exist.

No trade agreement can be expected to address all the troubling issues of transitioning to global economic competition. With or without NAFTA, companies can still choose to relocate to Mexico—although it is interesting to note recent decisions by Raytheon, GM, and many small firms who earlier relocated and who now are coming back to the United States. Low-wage competition from other areas of Latin America and Asia will continue to challenge our economy. And our competitors, especially the Japanese, are still going to try to secure agreements around the world that will benefit themselves, at our expense.

But while the direct substance of the NAFTA is small in the overall economic scheme, its symbolism with respect to the course this Nation takes in future trade policy has become immense as this debate has unfolded. As the *New Republic*¹ forcefully stated:

As much as any event since the communist collapse, the vote on NAFTA could define

America's post-cold war identity. The nation's long-run economic health, its geopolitical reach, even its moral character, are very much at stake here. The defeat of NAFTA would be the first step in precisely the wrong direction—an America looking inward rather than outward, governed by fear rather than reason—and could make turning back difficult.

With the end of the cold war, the United States has just prevailed in the third major war of this century. After each of these triumphs we faced a fundamental decision on whether we would remain active in world affairs or crawl into a false cocoon of isolationism. After the First World War we decided to "Return to Normalcy" in a nostalgic effort to turn back the clock. We rejected entry into the League of Nations and instituted a protectionist economic policy. After a short boom, the result was the Great Depression and the rise of fascism.

After the Second World War, there was strong sentiment to focus on the homefront and withdraw from world responsibility. But with strong leadership from Harry Truman, the Marshall Plan and the Truman Doctrine were approved, leading the way for economic revival and the triumph of democracy.

We now find ourselves at a similar crossroads. It is naive to think that by denying world realities we can somehow return to a nostalgic past. The simple fact of the matter is we can and must compete in the real world. There is no going back.

We have critically important trade issues to resolve including the GATT process, in which we are trying to end foreign subsidies that undercut international sale of American products ranging from agriculture to aircraft. The leaders of the Pacific rim will soon meet in Seattle for the annual APEC conference to discuss the future of the massive Asian trade. Our leadership and leverage in these negotiations would be dramatically undercut if NAFTA were defeated.

President Clinton put it well when he posed the challenge in his inaugural address to squarely face the reality of global economic competition and to resist the temptation to put our heads in the sand and resort to a doomed effort at economic isolationism. I am confident that we can compete in the global market and provide well-paying, rewarding jobs for our people while mutually increasing economic well being. I have seen the people of Washington State take on this task and win.

In the final analysis, the NAFTA is a modest, but significant step in the right direction. Its rejection would be a fateful retreat from world leadership. That is why it has my wholehearted support.

REPORT OF THE SIXTH ANNUAL CONGRESSIONAL BLACK CAUCUS VETERANS BRAINTRUST HEARING

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 10, 1993

Mr. RANGEL. Mr. Speaker, I rise to present for the edification of my colleagues a report on the sixth annual Congressional Black Caucus

[CBC] veterans braintrust held in conjunction with the CBC legislative weekend, September 15, 16, and 17, 1993. The veterans braintrust was cosponsored by me and my colleagues, Representatives SANFORD BISHOP of Georgia, and CORINNE BROWN of Florida.

Veterans braintrust activities included workshops on post-traumatic stress—its impact on individuals and the community, and homelessness, and affordable housing development.

The theme of the veterans braintrust hearing was health care issues facing African-American veterans.

As the health problems of the African-American community grow, it is imperative to have more research, preventive medical procedures and quality health care services in that community. With respect to African-American veterans, the health problems are magnified.

African-American veterans and their families make up one-third of the Nation's African-American population and 17 percent of the total post Vietnam veteran population. This population of African-American veterans comprise 50 to 60 percent of the homeless veteran population.

Studies show that African-American veterans suffer at a disproportionate rate from tuberculosis, diabetes, heart disease, respiratory disease, substance abuse, cancer, AIDS, post traumatic stress disorder, and other mental illnesses.

Furthermore, African-American Vietnam veterans suffer an unemployment rate three times higher than most veterans of Vietnam. And where there is high unemployment and homelessness, health concerns prevail.

To address some of these concerns experts in the field were invited to testify.

The Honorable Jesse Brown, Secretary of the Department of Veterans Affairs—DVA—was the key witness. Secretary Brown's testimony focused on the services provided by DVA and putting veterans first. He talked of the successes of DVA and acknowledged areas that needed improvement.

Secretary Brown was followed by three panels. The first panel included professionals in the area of health care: Dr. Westley Clark, Fort Miley Medical Center, San Francisco, CA; Dr. Billy E. Jones, New York City Health and Hospitals Corp., New York City; and Dr. James Jones, Department of History, University of Houston, Houston, TX.

The second panel included representatives from the veterans service organizations who covered services available from those organizations and how they interact with all veterans. Of particular concern to the Members of Congress was the perception among African-American veterans that they were not welcomed by the veterans service organizations. Congressman RANGEL and others requested that more outreach efforts from the veterans service organizations be launched. Representatives from the veterans service organizations to testify included: Mr. William Bradshaw of the Veterans of Foreign Wars, Washington, DC; Mr. George C. Duggins of the Vietnam Veterans of America, Washington, DC; Mr. Dave Gorman of the Disabled Veterans of America, Washington, DC; Mr. Terry Grandison of the Paralyzed Veterans of America, Washington, DC; Ms. Muarine Hill, past State Commander of the Maryland Disabled

¹ The New Republic, October 11, 1993.

Veterans of America; and Mr. John Vitikacs of the American Legion, Washington, DC.

The third panel included representatives from the DVA, who discussed the services provided by DVA, including the status of activities within the newly established Office of Minority Affairs that was created to deal with concerns of minority veterans. Critical testimony included a discussion by Dr. Susan Mather, Assistant Chief Medical Director for Environmental Medicine and Public Health, DVA on the status of health care services provided to women veterans: Women make up 4 percent of the veteran population. Of the 199,023 women serving in the military now, 61,023 (30 percent) are African-American.

Representatives from the DVA to testify included: Dr. Victor Raymond, Assistant Secretary for Policy and Planning, and the Chief, Minority Affairs Office, DVA; Dr. Susan Mather, Assistant Chief Medical Director for Environmental Medicine and Public Health, DVA; Dr. David Law, Acting Associate Deputy Chief Medical Director for Clinical Programs, DVA.

Following the hearing, Representatives RANGEL and BISHOP presented certificates of appreciation to 18 of the Congressional Veterans Braintrust members for their outstanding service: Mr. Ronald Armstead, HVRD Director, Veterans Benefits Clearinghouse, Inc., Boston, MA; Mr. Ernest Branch, Executive Director, Veterans Benefits Clearinghouse, Inc., Boston, MA; Ms. Femi Brown, Adult Center Manager, Opa Locka Senior Focal Point/Elderly Services, Opa Locka, FL; Mr. Jeffries Cary, Black Veterans of All Wars, Baltimore, MD; Mr. Eric Glaude, Harlem Veterans Center, New York, NY; Mr. Mike Handy, Director, Office of Veterans Affairs, New York, NY; Mr. Anthony Hawkins, Congressional Relations Officer, Department of Veterans Affairs, Washington, DC; Col. Solomon Jamerson, (retired), Los Angeles, CA; Ms. Lane Knox, Women Veterans of the U.S. Armed Forces, Chicago, IL; Mr. Maceo May, Director of Housing, Swords to Plowshares, San Francisco, CA; Comdr. Carlton Philpot, Buffalo Soldier Monument Committee, Fort Leavenworth, KS; Mr. Clyde Poag, Team Leader, Veterans Center, Grand Rapids, MI; Ms. Gloria Reid, Clinical Coordinator, Veterans Center, Richmond, VA; Ms. Pamela Jo Sargent, National Association for Black Veterans, Milwaukee, WI; Mr. Wilson Smith, Jr., Afro-American Medal of Honor Memorial Association, Wilmington, DE; Mr. Ernest E. Washington, Jr., Mattapan, MA; Ms. Joanne Williams, Chicago Vietnam Veterans and Families Assistance Program, Chicago, IL; and Ms. Ruth Young, New York Coalition for Fairness to Veterans, New York, NY.

SECURITIES REGULATORY EQUALITY ACT OF 1993

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 10, 1993

Mr. DINGELL. Mr. Speaker, last week Mr. MOORHEAD, Mr. MARKEY, Mr. FIELDS, and I introduced H.R. 3447, the Securities Regulatory Equality Act of 1993 to amend the Federal se-

curities laws to equalize the regulatory treatment of participants in the securities industry. I am authorized to say on their behalf that the leadership of the Committee on Energy and Commerce intends that this legislation provide a strong and responsible framework for functional regulation to strengthen taxpayer and investor protections in the wake of recent decisions allowing banks to expand their securities activities. This legislation is a priority.

On October 19, Mr. GONZALEZ, chairman of the Committee on Banking, and Mr. SCHUMER, chairman of that committee's Democratic Caucus, introduced H.R. 3306, the Depository Institution Retail Investment Sales and Disclosure Act. Chairman GONZALEZ's floor statement noted that:

Although some Federal banking agencies have issued guidelines regarding sales of uninsured products, this legislation would go further to protect consumers from misleading and deceptive sales practices. Our bill would ensure that not only will banks be required to follow the SEC's rules for brokers and dealers, but also that they take into account the special risks of unsophisticated customers. This bill is designed to protect the vulnerable customer from unsafe and unsound tactics we have seen used in previous scandals.

Notwithstanding my grave jurisdictional and substantive concerns about certain provisions of H.R. 3306, I wholeheartedly support that bill's objectives and have asked Chairman GONZALEZ that I be listed as a cosponsor of his bill. I firmly believe that H.R. 3306 can be perfected, and this committee's concerns resolved when that bill is referred to us. I am committed to working diligently for its speedy passage.

Mr. Speaker, H.R. 3447 is an important and necessary corollary to the Banking Committee bill. Ideally, the two bills should be joined together as extraordinarily strong procompetition and proconsumer legislation.

Our bill would require banks engaging in securities activities to place those activities in a separate affiliate, which would register with the Securities and Exchange Commission [SEC] as a broker-dealer and be subject to securities laws and regulations just like any other participant in the securities business. It would also repeal anachronistic exemptions from SEC registration and reporting available to banks.

In 1933, when the Federal securities laws and the National Banking Act were passed, the National Banking Act excluded banks from the securities business, with the exception of certain very limited activity incidental to the banks' traditional trust activities. Therefore, regulatory coverage of banks under the Federal securities laws was deemed unnecessary, with the exception of the antifraud provisions. Erosion of the legal barriers between the two industries has rendered this lack of regulatory coverage contrary to the public interest.

Starting in 1987, the Federal Reserve Board [FRB] has issued a series of orders authorizing 31 parent bank holding companies, domestic and foreign—a list as of October 25, 1993 follows my statement—to conduct a full range of securities underwriting in separate affiliates, so-called section 20 subsidiaries, of the holding company, subject to certain conditions which include a 10-percent limit on revenues, firewalls to assure against conflicts of in-

terest, and other potential adverse effects to the institutions, to the financial safety net and to taxpayers, as well as a requirement that the affiliates be SEC-registered and -regulated broker-dealers. As such, the FRB is responsible for regulation and inspections of the bank holding company as a whole with respect to systemic risk, safety and soundness, and compliance with the firewalls, while the SEC is responsible for regulation and inspections with respect to compliance with the Federal securities laws.

By contrast, the Comptroller of the Currency has approved a broad range of securities activities—an updated list follows my statement—that may be conducted directly by and in national banks—with no separation, no securities capital, no firewalls, and no sales practice rules or other investor protections under the Federal securities laws. This regulatory vacuum is in contrast to the regulatory schemes for bank municipal securities and Government securities activities, which are regulated, respectively, under sections 15 (b) and (c) of the Securities Exchange Act of 1934. Irrespective of whether comprehensive financial services reform occurs in the immediate future, we must recognize that the securities powers granted administratively by the banking regulators require the immediate imposition of statutory safeguards to avert harm to investors and cost to taxpayers. The current patchwork quilt presents a clear and present danger to the American public.

The impromptu and inconsistent acts of the regulators have been at odds with sound public policy and have needlessly exposed our system of Federal deposit insurance to additional risks. By allowing certain securities activities to be conducted within the depository institution, they have in effect exposed the bank—and, by extension, the insurance fund—to the risks of the securities business. Moreover, bank regulators have recently compounded this problem by permitting bank-advised mutual funds to share the same name as their affiliated banks. As millions of Americans—1 in 4 American households owns shares in a mutual fund—pour money into mutual funds at a record rate, nearly \$1 billion a day, bringing their total assets to approximately \$2 trillion at the end of last month, and as banks constitute the channel for sales and distribution of up to 50 percent of mutual funds, the status quo—of seemingly insured investments—has become unacceptably risky to the American public.

Although banks have dramatically expanded their brokerage and investment advisory activities, the SEC is presently powerless to regulate them as either broker-dealers or investment advisers. Right now, banks do not have to register as such with the SEC if they engage in brokerage activities or provide investment advice to customers. They also are exempted from the registration and reporting requirements of the Federal securities laws when they offer their own securities to the public. Finally, they are not subject to the sales practice rules that are critical to the protection of investors. Clearly, the securities activities of banks fall between the cracks in our regulatory system. That is of particular concern when taxpayers confront a \$150 to \$175 billion tab for the savings and loan crisis, thanks largely to inadequate regulation.

The lack of proper regulation not only causes substantial potential regulatory disparities, but presents grave potential danger to investors, who may well assume that a security sold to them by a bank is federally insured. Our bill addresses the investor protection concerns currently posed by unregulated bank sales of securities to the public. Our bill will close the regulatory gap that currently exists, to the detriment of the American public. It is our hope that we avoid another S&L-type debacle where regulatory failure costs the public so dearly.

I encourage my colleagues to support this legislation when we bring it to the floor of the House.

I had intended to include with this statement the list of 31 section 20 subsidiaries of bank holding companies approved by the Federal Reserve and the list of securities activities approved by the Office of the Comptroller of the Currency for national banks, consisting of 4 activities approved by regulation or order, 19 activities approved by interpretation or approval, and an update of 10 activities approved by interpretation or approval since 1991. I strongly believe that this information should be a part of the public record. However, I have been advised by the office of the Public Printer at GPO that this information would contravene their guidelines for the printing of extraneous matter. Therefore, I am submitting my statement this week without this important information; the complete statement—as submitted on November 4, 1993 with these lists may be obtained by contacting the committee's offices.

NAFTA IS A SWINDLE

HON. MAJOR R. OWENS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 10, 1993

Mr. OWENS. Mr. Speaker, NAFTA represents an unfortunate continuation of the disastrous trickle down economics of George Bush and Ronald Reagan. NAFTA will assist the rich in their quest to get richer. But NAFTA is a swindle for the workers of America and for the majority of the American people. Not only will we lose thousands of manufacturing jobs if NAFTA is passed, we will also lose plants and other enterprises that are vital for the tax bases of our communities. NAFTA will impoverish large areas of America. The lure of slave labor wages will eventually entice even the most reluctant factory owners. Free trade becomes a swindle when two societies are as different as the United States and Mexico. It is dangerous to mix economies when the wage structures, the political systems, the physical environments, and the overall standards of living are so incompatible. The European Common Market works for all of the citizens of all of the countries because Europe has insisted on this environmental, political, and wage compatibility. NAFTA will facilitate gross exploitation of American workers and Mexican workers. Rich Americans and rich Mexicans will dictate the terms for employment. Goods manufactured at very low costs will be sold in the U.S. market at the highest possible prices.

NAFTA is a swindle. In ordinary street language NAFTA is a "hustle".

NAFTA IS A HUSTLE

Buy the Brooklyn bridge
And watch the economy grow
To make a hustle
Who needs Mexico
After NAFTA
I got a bridge to sell
My thing got more appeal
Cause painted steel
Looks solid and so swell
After NAFTA
Factories will stray
Kidnapping the few jobs
That didn't yet run away
After NAFTA
Grant me a special order
In the House well
I got a bridge to sell
Treat us hustlers equal
My thing has more appeal
My tangible bridge asset
Is the better capitalist bet
To make a hustle
Who needs Mexico
Keep the swindle
In the family
Deal in America
The old fashion way
Save the few jobs
That didn't yet run away
After NAFTA
I got a bridge to sell
My stable product has been
Negotiated many times
Mexico is fiscal quicksand
But bridge property
Is always in demand
Buy the Brooklyn bridge
And watch the economy grow
To make a hustle
Who needs Mexico

THE NORTH AMERICAN FREE-TRADE AGREEMENT

HON. TIM VALENTINE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 10, 1993

Mr. VALENTINE. Mr. Speaker, next week, the House of Representatives will consider the North American Free-Trade Agreement. The decision we make could have far-reaching effects on our economy, our ability to compete in the global marketplace, and most important, the future of American workers and their families.

I intend to vote for the North American Free-Trade Agreement.

NAFTA will lay the foundation for continued growth in exports of American goods and services to our largest and most accessible markets—Canada and Mexico. The removal of trade barriers in North America will free American workers and companies from artificial constraints and allow them to reap the benefits of their productivity and competitiveness.

But there is much more at stake than our ability to trade freely north and south of our borders. By passing NAFTA, we are creating the world's largest and most lucrative marketplace. Our ability to compete with trading blocks in Europe and Asia is greatly enhanced. Economic growth through exports means financial security for our country.

Failure to pass NAFTA, on the other hand, will open the door of opportunity for our European and Asian competitors. Mexico is ready to take on trade partners. Japan and Europe are willing suitors just waiting for and opportunity. We cannot afford to stand behind outdated trade barriers while the rest of the world expands the free flow of goods.

All of us are aware of the criticisms that have been leveled at NAFTA. The critics are playing on fears of an uncertain future. They are fueling the fears of economic pain. But the plagues that the critics predict if NAFTA passes—job losses, environmental degradation, unfair labor standards—all exist today without NAFTA.

In fact, in many cases, the dangers we face if we do not approve NAFTA are even greater than the ones predicted with its passage. Without NAFTA, Mexico has no incentive to improve its environmental protection. Mexico has no incentive to enforce humane labor standards. Without NAFTA, many American businesses will have no choice but to move south if they want to tap into the fastest growing marketplace in the western hemisphere. With NAFTA, we gain access to a vital new market, we assure cooperation—not competition—with our neighbors, and we provide Mexico with the incentive to address the very concerns that worry us the most.

Put simply, we have much more to fear without NAFTA than we do with NAFTA.

Trade debates are nothing new in this country. Spirited, and even bitter, discussions about tariffs and trade policy have divided Americans since the earliest days of the Republic. From the time that New England manufacturers and Southern planters squared off over tariff policy in the 1780's, perhaps no single issue has been so persistently at the center of our Nation's economic and political conflicts.

While we continue our debate, the rest of the world is moving inexorably toward greater economic integration through freer trade. Standing against that tide will only cut us off from the opportunities that are essential if we are to prosper in the coming century. Rather than leaving the trade battle, we must lead it.

There will always be legitimate concerns about any trade agreement, and legitimate grounds to oppose trade agreements. But, as hard as we may wish for it, we will never achieve a risk-free agreement that protects all American interests.

In my mind, NAFTA is not a perfect agreement. I am tempted by the arguments of those who would hold out for something better.

But I have concluded that it is unlikely that we could produce another agreement, at least in the near future. It is more likely that our place will be quickly taken by one or more of our economic competitors. In any case, the opportunity lost is an opportunity gained for Europe, Japan, and other Asian countries who are making steady progress toward building their economic markets.

In the final analysis, I must be guided by the interests of the people I represent. There are almost as many opinions on that issue as there are individual North Carolinians, but I believe that NAFTA will be good for my State.

Since 1987, North Carolina's merchandise exports to Mexico have grown by 365 percent.

In 1991 alone, North Carolina exported \$2.2 billion in goods to Mexico and Canada. Perhaps the most important, 57,000 North Carolina jobs are supported by manufactured exports to our North American neighbors, and the State, according to some estimates, will reap a net gain of over 1,300 new jobs if NAFTA is implemented.

North Carolina and the Nation cannot afford to turn our backs on NAFTA. We cannot afford to pass up the opportunity for measurable improvements in Mexico's environmental and labor policies just because the agreement does not solve all the problems in these areas. We cannot afford to turn our backs on a good agreement because of the vague, and surely illusory, promise of a perfect agreement. Finally, we cannot afford to let fear of an uncertain future paralyze us from action. Time, and our competitors march on.

The North American Free-Trade Agreement will be good for the United States in the long term. I will vote for it, and I urge my colleagues in the House to support it.

TRIBUTE TO DR. JAMES O. DENNEY

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 10, 1993

Mr. BROWN of California. Mr. Speaker, on Sunday, November 7, 1993, Dr. James O. Denney, a member of my staff, and a former science fellow in my office, passed away after a sudden and brief illness. Memorial services were held at St. Mark's Episcopal Church on Wednesday, November 10, 1993.

The sudden death of an associate, a friend, a relative, is a cause for all of us to re-examine our own lives—to ask ourselves if we are truly aimed at doing the Lord's work on Earth.

Jim's death demands even more of us, for he was a unique person. He had the most creative and important years of his life before him and he was a link between many diverse communities.

Jim was devoted to the goal of creating bonds of understanding between these diverse communities of which he was a part. In the role in which many of us knew him best, as a science fellow, Jim was primarily a link between the academic and scientific community and the political community, a role he performed with excellence. He brought to this role his own deep concerns for environmental protection, sustainable agriculture, and arid lands research, all of which I shared. He also earned the respect of the diverse constituencies with which he worked on these issues, environmentalists, business, labor, farmers, and others. His last major assignment, participating in a national conference on health and the environment, drew praise from the organizers and participants in that conference.

Jim was also a linguist, fluent in Arabic and Spanish, among other languages and with considerable experience living in the culture of the Middle East. Language is of course the greatest link between cultures, and I had been planning with Jim a major effort to join the United States and Arab Nations in joint re-

search on arid lands agricultural problems, a subject of preeminent interest to the American Southwest. Jim was an authority on such matters, and could have been internationally noted as a link between our cultures.

Those who serve as the links between cultures, social systems, divergent groups of all kinds, have a special mission. That mission is to create understanding, to lessen conflict, to bring peace. They deserve a special blessing, as the Bible says, yet all too often they are condemned because they are messengers of change. For me, Jim Denney was a blessing. I give praise for all that he did to bring peace and understanding through his life.

Dr. Denney's obituary appeared in the Washington Post on November 10, 1993, and is reprinted here:

James Osborne Denney, 46, a legislative assistant for environment and agriculture in the Office of Representative George E. Brown, Jr. (D-CA), died Nov. 7 at George Washington University Hospital after a stroke.

Dr. Denney, who lived in Washington, was born in Pineville, Ky. He graduated from Rice University. He received a master's degree in horticulture from Texas A&M University and one in linguistics from the University of Texas at Austin.

He was fluent in Arabic and in 1985 worked as a horticultural consultant at the King Khaled International Airport in Riyadh, Saudi Arabia.

In 1992 he received a doctorate in plant physiology from the University of California at Davis. He also had studied at the American University in Cairo.

In 1992, Dr. Denney came to Washington on a congressional Science Fellowship of the American Society for Horticultural Science and was assigned to Brown's congressional office. On the completion of his fellowship, he became a legislative assistant.

Survivors include his father, Glenn E. Denney, and his stepmother, Marion C. Denney, both of San Antonio.

THE HEALTH CARE ANTITRUST IMPROVEMENTS ACT OF 1993

HON. BILL ARCHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 10, 1993

Mr. ARCHER. Mr. Speaker, during our years of service in the Congress, Senator ORRIN HATCH and I have seen dramatic changes in the health care marketplace.

We have seen the Government encourage hospital construction, with Federal aid from the Hill-Burton Program.

We have seen the Government encourage hospital closures and consolidations, with the pressures for efficiency forced by the prospective payment system and other Medicare reimbursement changes.

We have seen the Government work to limit the flow of technological advances to the marketplace, with implementation of the Health Planning and Resources Development Act, Public Law 93-641.

And we have seen the Government recognize that consumers want, and need, access to the latest medical technology breakthroughs, with repeal of that act in 1986.

We have seen the Government encourage the education of health care providers, with programs such as the National Health Service Corps, graduate medical education under Medicare, and the health manpower programs authorized in title VII of the Public Health Service Act.

And we have seen Federal support for those programs cut back as resources dwindled in the 1980's and 1990's, and as oversupplies of certain specialties led to inefficient use of precious health care resources.

We have seen doctors, hospitals, and other providers band together to build efficient, cost-effective delivery systems which extend services to our citizens, especially those who live in the most underserved rural and urban areas.

And we have seen the long arm of the Justice Department and the Federal Trade Commission reach down to stymie the most effective of those collaborations, in all areas of our country, large and small.

Evolution of the health care marketplace will continue, and should continue, with or without a dramatic restructuring of our health care system. Effective and creative alliances will be forged between all types of health care providers in all areas of this country.

We believe that government should be a catalyst for such alliances, rather than an impediment to their formation. We believe that it is the function of government to foster the provision of quality health care services, rather than to concoct burdensome mandates and other disincentives which drive up the cost of care and price it out of the marketplace for many.

Today we join together to introduce The Health Care Antitrust Improvements Act of 1993, a measure to ensure that all players in the health care marketplace have the opportunity to pursue appropriate alliances and joint ventures that will provide better services and lower costs for health care consumers.

We have a long history of working to reform the antitrust laws that apply to the health care industry. The committees on which we serve, Ways and Means, Finance, and the Judiciary, have held extensive hearings into the issue of our antitrust laws and how they can harm those who receive health care services, rather than protect them.

We have heard countless stories of costly duplications of services, inefficient arrangements which communities cannot even begin to address because the very act of initiating discussions could trigger antitrust action by the Federal Government.

We have heard testimony from the Ukiah Valley Medical Center president, ValGene Devitt, who told us of her 43-bed, not-for-profit hospital's 4½-year ordeal after it sought to buy the assets of a 51-bed hospital nearby. Last year, a court found that the transaction benefited consumers and leads to an improvement in quality care.

More recently, we have seen two Utah hospitals needlessly spend over \$7 million just to prove to the Justice Department that their joint work in pediatrics helped patients, not harmed them.

Our extensive study of this issue has forced us to question the Government's motive in challenging such mergers.

Is it against our citizens' interests to see rural hospitals combine and improve their efficiency?

Is it against our citizens' interests for a community to effect millions of dollars in cost savings while eliminating duplicative services and staffing?

Or, more importantly, is it against our citizens' interests for the Government to spend millions on needless litigation, millions which could have been spent on patient care, to satisfy this Washington witch hunt?

As responsible Members of Congress who would like to see improvements to our health care delivery system, both now and in the future, we cannot stand by and allow the Federal Trade Commission and the Justice Department to drive up health care costs through such unwise antitrust actions.

While we applaud the administration's attention to reforming health care, we are concerned that their bill, the Health Security Act, offers little in the way of antitrust revision. The administration has offered general operating guidelines, but they are nonbinding and have no effect whatsoever in reducing the costs of private party antitrust litigation.

We believe that it is possible to craft a carefully balanced change to the statute which will both continue Federal protections against self-serving monopolies and institute the measure of flexibility necessary to foster resource-sharing alliances and group ventures.

Our legislation sets out specific safe harbors for the cooperative activities of health care providers. This will lead to lower costs while increasing provider quality and consumer access to needed services. Our bill also directs the Attorney General to undertake three specific tasks. First, to develop needed guidelines for providers developing joint ventures. Second, to administer a program for expediting reviews and granting of waivers. Third, to develop additional safe harbors as warranted by the changing needs of the health care industry and consumers.

This legislation was developed after extensive consultations with representatives of the health care provider community. We have designed The Health Care Antitrust Improvements Act of 1993 to respond to the needs of today's health care marketplace, as well as the evolving marketplace of the future.

In introducing this legislation, we recognize that our national dialog on health care reform will continue to evolve as the marketplace is evolving.

We recognize that changes in this draft will be necessary to accommodate unforeseen issues. We want to work with all in the health care arena to make those changes, be it health care facilities, such as hospitals, nursing homes, or home health agencies; licensed health care providers, such as physicians, nurse practitioners, or chiropractors; or other critical players in the health care marketplace, such as insurance companies.

In a similar spirit, we wish to work with our colleagues to refine this bill as it moves through the legislative process. It is abundantly clear to us that the Federal Government needs to take immediate action to clarify the rules of the game so that those in the health care community who wish to undertake alliances are assured a stable, predictable play-

ing field. That is the intent of The Health Care Antitrust Improvements Act of 1993.

TRIBUTE TO ROY T. THOMAS

HON. RONALD V. DELLUMS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 10, 1993

Mr. DELLUMS. Mr. Speaker, today I rise to honor Roy T. Thomas as he retires from the University of California at Berkeley. Roy T. Thomas has served as an academic and personal advisor, faculty advocate, and surrogate father for the many African-American students that have come to the Berkeley campus over the last 23 years. Professor Thomas is famous for the long lines of students waiting patiently outside his office door, for he seems to be in his office at all hours of the day and sometimes well into the evening. Former students who are now professionals dispersed throughout the world proudly attest to the pivotal role he has played in their lives. While experiences as a student of color at Berkeley can sometimes provoke pessimism and bleakness about one's academic success, Professor Thomas is always able to provide the right words, and just the right resources, to brighten even the darkest circumstances and motivate one to achieve. Many believe that Mr. Thomas is partially responsible for inspiring some of the most successful careers of lawyers, lobbyists, doctors, business persons, and policy analysts for his wisdom and fortitude not only advised many but taught them how to achieve their dreams. His retirement from the University of California at Berkeley will be a sad day.

Roy T. Thomas was born on April 4, 1931, in New Africa, MS, and was raised in Memphis, TN. He earned his bachelor of arts degree in English in January 1954 from Roosevelt College in Chicago, IL. Mr. Thomas earned a master of arts degree in English in June 1960 from New York University [NYU]. While in New York, he was an English instructor at Boys High School in Brooklyn. He served in the Adjutant Corps division of the U.S. Army from December 1954 through September 1956.

After graduation from NYU, Mr. Thomas moved to California and taught for 3 years as an English instructor at Fremont High School in Oakland, CA. During this time, he authored a Negro History-Christian Faith Series which included studies of Isaac Murphy, Benjamin Banneker, Sojourner Truth, Charles Drew, Langston Hughes, and W.C. Handy. In 1965, Mr. Thomas entered Stanford University as a doctoral student in English, and in 1967 he began writing his doctoral dissertation on the subject of the children in the writings of William Blake and Langston Hughes. From 1967, through 1970, Mr. Thomas taught as an English instructor at San Francisco City College and an assistant professor at San Jose State University. In September 1970 he became a lecturer in the newly formed African-American Studies Department at the University of California, Berkeley, where he has remained for the last 23 years.

In 1974, Mr. Thomas also became an associated director of the UC Berkeley Profes-

sional Development Program [PDP], which has numerous programs geared toward helping students of color excel in mathematics, the sciences, and more recently, the humanities. He has served in the following capacities: coordinator of the Minority Graduate Student Program; codeveloper of the Undergraduate Student Program; faculty mentor for the Summer Research Opportunity Program; English instructor for the pre-college academy; instructor for African-American Studies 98, specifically for PDP; and consultant for PDP's Summer Math Institute.

He has also served on the UC Berkeley Ethnic Studies Library Committee and the College of Letters and Science's Reading and Composition Committee; and Martin Luther King, Jr., Convocation Day Committee, as an adviser.

In addition to all of his activities on campus, Mr. Thomas has also been involved in numerous activities over the years. In the past, he has served as: committee member to bring South African ANC leader Nelson Mandela to the bay area; executive secretary to the San Francisco African-American Historical Society; consultant to the Oakland Museum for its oral history project, "Oakland's Black Pioneers"; board member for the Black Filmmakers Hall of Fame; chair of the Education Commission of the Shattuck Avenue United Methodist Church; and member of the educational aid committee for McGee Avenue Baptist Church.

Currently, he serves as: member of the Collegium of the Black Filmmakers Hall of Fame; chair and lecturer for the Annual Film Lecture Series at the Oakland Museum; director of community and cultural affairs for the city for Richmond, CA; and advisory board member to the Break the Cycle Tutorial Program for the Berkeley Public Schools.

Throughout his tenure at UC Berkeley, he has taken an extraordinary interest in the academic and professional development of thousands of students. Regardless of color or creed, Mr. Thomas nurtured every student as if he or she was his own. Roy Thomas is a man that does not accept mediocrity or complacency. He is widely respected for his ability to inspire students to challenge tradition when searching for solutions. This mindset has inspired students to create mentorship programs, produce films, and seek political office, just to name a few.

A surrogate father to hundreds of students, many wondered if Roy ever had a personal life, given that he was in his office from sunup to sundown. At the seasoned age of 62, he participates in the Bay Area Lake Meritt 10K run and has won in his age group. Students, professors, and alumni are all in awe of his remarkable ability to run marathons and climb mountains on a regular basis.

Words cannot simply express the admiration and esteem that UC Berkeley students, professors, alumni, and Berkeley and Oakland citizens hold for this individual. His contribution as an unselfish professor will last for generations to come. By teaching his students the art of turning their dreams into reality, he has taught them to teach others. This in itself is enough to honor a man who has demonstrated his ability to inspire young and old minds alike. He will be missed immensely, but his benevolence will always be remembered.

INTRODUCTION OF THE INFRA- STRUCTURE REINVESTMENT ACT OF 1993

HON. ROBERT A. BORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 10, 1993

Mr. BORSKI. Mr. Speaker, today, I am introducing the Infrastructure Reinvestment and Economic Revitalization Act of 1993, which, by applying the standard business practice of bond financing to the Highway Trust Fund, will greatly accelerate our ability to invest in the Nation's transportation infrastructure.

This bill would allow the future proceeds of the Federal gas tax to be used as a revenue stream by a new corporation to permit bonds to be issued for transportation projects. The many projects that are ready to be built today would be financed through these bonds. The bonds would then be paid off with the gas tax revenue.

The Infrastructure Reinvestment and Economic Revitalization Act will make it possible for us to move forward immediately with a major program of investment in our transportation infrastructure. It recognizes that there are billions of dollars in projects that are ready to go but lack financing.

Use of bonds will allow us to invest future gas tax proceeds and create thousands of new jobs now. An investment of \$1 billion in the transportation infrastructure would create up to 50,000 jobs, meaning a massive creation of jobs if we can offer bonds today based on 5-year revenue projections for the Highway Trust Fund.

This bill creates an Infrastructure Reinvestment Fund which would issue bonds to finance upfront payments for the programs already authorized in the Intermodal Surface Transportation Efficiency Act of 1991. Instead of waiting 6 years to pay out the funds authorized under ISTEA, we would make the funds available immediately to improve our highway and transit systems.

ISTEA was truly the most significant surface transportation bill since the authorization of the Interstate Highway System, but it will have its meaning diminished unless we find a way to provide full and immediate funding. With the bond financing envisioned under my bill, State and local transportation agencies could begin to make the transportation revolution authorized by ISTEA a reality today.

There is no question that the infrastructure financing needs exist and that they must be met if we are to be a global economic power in the 21st century. ISTEA changed the way the Federal Government looked at transportation for the first time since the 1950's. My bill will make the first meaningful change in the way we provide the financing for transportation through the Highway Trust Fund since the Federal gas tax was enacted in 1956.

The Federal Highway Administration estimates that \$45.7 billion is needed annually just to maintain our highway system at current levels and \$74.9 billion is needed annually to improve the system to meet future demands, compared to the current annual investment of \$36.2 billion by all levels of government. According to the Federal Transit Administration,

the Nation's transit systems require an annual investment of \$7.5 billion, one-third more than the fiscal year 1994 appropriation.

The issue is how we obtain the financing to pay for these essential improvements. Through the innovative financing mechanism proposed in the Infrastructure Reinvestment and Economic Revitalization Act, we can start to fulfill the promise of ISTEA and begin to meet our transportation infrastructure needs.

The American people have turned down any thoughts of doing business as usual and they have rejected the stand-pat philosophy that everything will just get better if we don't do anything.

They have called for their representatives in government to take action to make America a better place to live. They want a nation with an economy that will grow in the coming decades and which will support American industry's ability to compete in the global marketplace.

The Infrastructure Reinvestment Act of 1993 responds to the American public's strong demand that we take immediate action to improve the quality of life in our Nation. We can produce a real turn-around in our infrastructure investment program with this new financing mechanism.

I urge my colleagues to join me and co-sponsor the Infrastructure Reinvestment and Economic Revitalization Act of 1993.

VIETNAM WOMEN'S MEMORIAL

HON. KARAN ENGLISH

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 10, 1993

Ms. ENGLISH of Arizona. Mr. Speaker, this week over 100 women from the State of Arizona have journeyed to Washington for the Veterans Day events scheduled around the unveiling of the Vietnam Women's Memorial project.

The Vietnam Memorial has always been said to be a place of healing: A place to come home to for the veterans of the United States Military who have given a piece of themselves for their country. For 11 years, eight names on the Vietnam memorial has been all this country has known of the sacrifice of women in the Vietnam war. Over 90 percent of the women who served in Vietnam were in the health care profession: They nursed our sick, our wounded, and our dying. Over 265,000 women served courageously in the Vietnam war, and none of them were drafted. They all volunteered—no law made them leave their homes and their families—they did it to serve their country.

One of the most poignant reminders of the sacrifice that women have made for this country comes from the book called *Shrapnel in the Heart, Letters and Remembrances* from the Vietnam Veterans Memorial, written by Laura Palmer. In the book, the author highlights some of the people who have left letters, poems, and other mementos at the Vietnam Memorial. One of the people featured in the book is a woman known only as Dusty. It is not her real name, but her nickname from the war—she uses it in the book to hide her real

identity from her husband, who has no idea that Dusty ever served in the Army or in Vietnam.

Dusty served two tours in Vietnam, working in an evacuation hospital as a surgical, intensive-care, or emergency room nurse. The reason she chose to serve a second tour was because, in her words, "the wounded kept coming, the war was getting worse, and I was good at what I did." Dusty went to Vietnam because she opposed the war, and she felt that if she went to the streets to oppose the war, she would just be one more body in the mob of people. So she went to Vietnam to use her training to get as many people home alive as she could.

Dusty tells the story of one of the young men she remembers so vividly from those days in Vietnam. His name was David, and she was the last person to speak to him, and to see him alive. Eighteen years later, Dusty wrote a poem about David that I believe epitomizes the efforts and feelings of women in the Vietnam war.

Hello, David—my name is Dusty.

I'm your night nurse.

I will stay with you.

I will check your vitals every 15 minutes.

I will document inevitability.

I will hang more blood and give you something for your pain.

I will stay with you and I will touch your face.

Yes, of course, I will write your mother and tell her you were brave.

I will write your mother and tell her how much you loved her.

I will write your mother and tell her to give your bratty kid sister a big kiss and hug.

What I will not tell her is that you were wasted.

I will stay with and I will hold your hand.

I will stay with you and watch your life flow through my fingers into my soul.

I will stay with you until you stay with me.

Goodbye, David—my name is Dusty.

I'm the last person you will see.

I'm the last person you will touch.

I'm the last person who will love you.

So long, David—my name is Dusty.

David—who will give me something for my pain?

While we may not be able to take away the pain and suffering of the women who served their country so well, we can honor them, and show our appreciation for their devotion to this country.

For 11 years there has been something lacking for the women veterans of this great land, something real, yet tangible. Tomorrow, on the 75th anniversary of the ending of the "war to end wars" there will be a new dedication—one for the statue honoring the commitment and sacrifice made by women for the defense of his great land.

Starting tomorrow, a new monument in a small grove of trees on the ridge that frames the Wall's grassy front yard, will be home for the symbol of the service and sacrifice of this Nation's women veterans. To the women veterans who have made the journey to the Wall this year I say, "Welcome Home."

**WHEN REMEMBERING OUR BRAVE
HEROES OF WORLD WAR II—
DON'T FORGET THE MARINES
FROM TARAWA**

HON. ROBERT K. DORNAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 10, 1993

Mr. DORNAN. Mr. Speaker, as we celebrate the 50th anniversary of World War II, I ask my colleagues and the citizens of this country to remember a specific group of Marines whose courage and sacrifice demands special recognition. I am referring to the exploits of the Second Marine Division which fought in the bloody battle of Tarawa.

I will include for the RECORD an article from the current issue of the Smithsonian magazine describing the brave deeds of these heroic men. I urge everyone to read this article in order to have some appreciation for the courage and sacrifice of these American heroes from World War II. We must never forget these brave men.

[From the Smithsonian Mag., Nov. 1993]

TARAWA

(By Michael Kernan)

August 1943: Marine Maj. Gen. Julian C. Smith stands before a mahogany conference table in K Room, on the third floor of the Windsor Hotel in Wellington, New Zealand. General Smith blinks behind his glasses as a neat, small man in an admiral's uniform spreads a large chart across the table. Vice Adm. Raymond Spruance has come all the way from Hawaii to tell Smith that, in November, his 18,088-man Second Marine Division will be attacking Tarawa.

The map shows an atoll, more or less triangular, 18 miles long, a coral spine studded with tiny huts and trading stations. To the southwest is Bititu Island, more commonly known as Betio, where the Japanese have dug in. Spruance pronounces it "bay-show." The atoll itself he calls "tar-a-wa." Hardly anyone has heard of it.

Smith and his staff study the chart of Betio. They see a curious little island shaped like a cockatoo lying on its back. The legs are represented by a pier that juts straight out from its belly. The whole thing covers less than 300 acres; it is less than half a mile wide at its widest point and only a shade over two miles long. The 700-yard-long pier and the new airfield, on which the Japanese are still working, are the only noticeable features. Those and the wiggly lines that mark the reef surrounding it.

The Battle of Tarawa is not as famous as the earlier attack on Guadalcanal or later assaults on Iwo Jima and Okinawa, although more than 1,000 Americans were killed in the 76 hours required to take the island. But it was at Tarawa that the Marines made the first American seaborne assault against a heavily defended coral atoll. After Tarawa we would send in frogmen to clear the beach approaches, measure water depths, study local tides. The percentage of casualties for the number of men involved was appalling. In the public mind, both during the war and to this day, it produced an indelible image of men, up to their waists in water, helplessly slogging across hundreds of yards of Pacific shallows into the teeth of Japanese fire.

It is the fall of 1943. In Western Europe the war is approaching a sort of climax with the invasion of Italy. But in the Pacific, four

months after the U.S. victory at Midway, things are going slowly. Like Midway, Guadalcanal had been a turning point. After landing August 7, 1942, the Marines had to fight for six months, finally winning the island and its crucial airfield. Now another stage in the long, island-hopping road to Japan is about to begin.

The new major American objective in the Central Pacific is Kwajalein, 65 miles long, the largest atoll in the world and a superb base for planes and ships. But to take it, you need forward airbases in Tarawa and elsewhere in the Gilberts.

At the historic meeting in Wellington, Julian Smith diffidently remarks that the reef is going to be the main problem. His operations officer, Lieut. Col. David M. Shoup, glances around the table. Shoup, 38, had met the Japanese in jungle combat on Guadalcanal. "Amtracs," he mutters. Spruance shakes his head at this mention of amphibians. The landing will have to be made in ship's boats, he says. He does not give a reason.

October 1943: Julian Smith flies into Honolulu for a talk with Maj. Gen. Holland M. Smith, known to history as "Howlin' Mad" Smith, an expert on amphibious warfare who commands the Fifth Amphibious Corps under Admiral Spruance.

The two Smiths huddle over yet another map. This one shows the Tarawa atoll, Betio and its lagoon, with the depths marked at various points: seven, nine, five feet. There is one little problem. The soundings were taken by the Wilkes Expedition, a remarkable naval exploration of the Pacific and the Northwest coast of America (Smithsonian, November 1985). The map, drawn in 1841, carried a notation: "This chart should be used with circumspection; the surveys are incomplete."

Any attack will have to be blunt, head-on and quick, Julian Smith explains. The ocean side, to the south, is out of the question; aerial photographs show the enemy has mounted his most powerful defenses on that shore. Besides, there is a heavy surf.

This leaves the lagoon side. But here, say the New Zealanders who know these waters, the tides are tricky. They have a nasty way of "dodging," rising and falling at uneven rates in the shallow lagoon. Because of tactical considerations the attack will have to be made during a period of neap tides. Such tides occur near the first- and third-quarter phases of the moon and do not crest as high as the spring tides of the full and new moons. They sometimes remain at nearly the same depth for hours and on Tarawa they could be as low as three feet. Rear Adm. Harry Hill, put in command of the amphibious force, consults with local mariners and reaches a cautious consensus that neap high tide in the lagoon on November 20 will surely be close to five feet deep. A loaded Higgins boat, the conventional landing craft of 1943, draws between three and a half and four feet, leaving a narrow margin for error.

Nevertheless, Julian Smith quietly spells out his fears that the water may be too low for the Higgins boats. His people could be stranded far out on the reef and forced to wade for hundreds of yards under deadly fire. He has 75 amtracs (amphibious tractors) at Wellington, enough to get the first assault waves ashore, but will need at least 100 more. Holland Smith nods agreement. But when he is consulted, Rear Adm. Richmond Kelly Turner, who oversaw the Marine landings on Guadalcanal, insists that more of the 25-foot-long amtracs won't be needed. They're slow, he adds. All but impossible to steer in any

kind of a sea and no armor to speak of. Once they stall, they ship water over their low freeboard and swamp.

To the end of his life, Holland Smith would insist Tarawa should have been bypassed in the island-hopping campaign to reach Japan. Now he is outraged by the Navy's reluctance to give the Marines the equipment they need. Face darkening, he bursts out: "No amtracs, no operation!" Finally Turner agrees to give the Second Marine Division more amtracs. If the tide does come in low, he notes, they can ferry men from the larger Higgins boats to shore.

Since taking Tarawa from the British shortly after Pearl Harbor, the Japanese have been making it impregnable. Reconnaissance reveals a network of dugouts, coral-block machine-gun nests and interlocking communication trenches. Lines of fire have been sighted in so that every spot on the island can be crisscrossed with withering fire from many different angles.

The defenses include four eight-inch guns that threaten virtually every inch of the seaward approach to the shore; ten 75-millimeter mountain guns, six 70-millimeter cannon, nine 37-millimeter field pieces, four pairs of five-inch coastal guns, 14 light tanks and many antiaircraft guns and mortars. Tank traps have been sunk in the beach. There are concrete blockhouses up to 40 feet in diameter and 17 feet high, and an incredible 500 pillboxes, sunken miniforts with shallow-curved cupolas and walls of reinforced concrete five feet thick. Rear Adm. Keiji Shibasaki, who has lately taken over the defenses, boasts that if they had a hundred years, "a million men could not take Betio." Along with 2,217 Korean laborers, Shibasaki has 4,836 men, of whom about 3,000 are fighting effectives, including 2,600 first-rate *rikusentai*, or special landing forces.

Most are concentrated on the south side, facing the open sea, where it is thought the Americans will land and be stopped at the beach by the mines and tank obstacles, wire tangles and guns. The American attack is expected at high tide in the morning, but the Japanese expect to counterattack at night and sweep every living enemy off the beach. The assumption is that Americans cannot see in the dark.

Latrines have been set on pilings out over the water. Based partly on the count of latrines visible from the air, American intelligence has underestimated the number of defenders at 2,800. The six Marine battalions scheduled to attack number twice that, though doctrine has it that success requires three times as many attackers as defenders. Torrents of steel and high explosives are to be hurled at the island from three battleships, for cruisers and nine destroyers. Waves of planes are scheduled to bomb and strafe the tiny patch of sand.

Lieut. Col. Shoup draws up the final attack plan. Three battalions will hit the lagoon-side beach at once: the Second Battalion, Second Marines and the Second Battalion, Eighth Marines side by side athwart the pier (Red Beach Two and Three, respectively) and the Third Battalion, Second Marines slightly to the west, at the cove that forms the cockatoo's throat (Red Beach One). As the landing drills wind up, the assault commander falls sick. Suddenly Shoup finds himself promoted to full colonel, commanding the Second Marines, the reinforced combat regiment that will lead the assault that he has planned.

Years later, when the taciturn, poetry-writing Shoup becomes commandant of the U.S. Marine Corps, it is partly because of

what he did at Tarawa. His experience there will also influence advice that he gives President John F. Kennedy in 1963 when the feasibility of invading Cuba comes up. Showing Kennedy a map of tiny Tarawa—as compared with the 800-mile-long Cuba—Shoup reminds the President of the “trouble we had” taking the little triangle of sand and coral.

The landing is now firmly set for neap tide on November 20, at 8:30 a.m. The date is a compromise. In November the only tides coming just after daybreak are neaps, with their lesser highs. During most of the month the spring tides, with their higher highs—the ideal time to run boats over the reef—are expected either before dawn or late in the afternoon. Predawn attack would rule out effective bombardment beforehand. An afternoon attack would mean that reinforcements would have to land at night.

Navy experts are still promising five feet of water at the end of the pier on the morning of November 20. One New Zealand Army Reserve officer who knows the island warns that there will be less than four feet over the reef, with a dodging tide making it even shallower. Everyone agrees that by the 22d the dodging tendencies will be over, but Admiral Turner decides not to put off the attack. Each day that passes, he has been told, increases the danger of a west wind, which would push waves up perhaps too steep for a landing. The landing of heavy matériel will certainly be delayed. Turner figures he has a two-to-one chance that the tides won't be a crucial problem. He is wrong.

Saturday, November 20, 2:20 a.m.: Transports heave to northwest of the island, which looms black in the path of the moon. By 2:55 a.m. 13 transports are reported in position 10,000 yards offshore. Boats are lowered and men begin clambering down the rope nets, but it turns out they are within range of Japanese guns—and in the wrong position, exactly in the line of fire between the battleships and the Japanese.

The whole timetable is thrown off. Transports are laboriously moved out of the way, as landing craft loaded with men bob along behind. The time of attack has to be postponed, first 15 minutes, then another 15. The revised H-Hour is 9 a.m.

5:42 a.m.: Everyone listens for the planes which at that moment are supposed to dump 1,500 tons of bombs on the island. Bolloxed communications hold them up. It is 6:20 a.m. before carrier-based Dauntless, Avenger and Hellcat aircraft roar overhead. They drop 500 tons of bombs, only a third of what Shoup had counted on to kill enemy troops and level buildings near the beaches.

6:22 a.m.: The naval bombardment opens, lasting nearly 90 minutes, littering every foot of the atoll with fragments from 3,000 tons of shells. It is 8:25 before the first waves of amtracs peel off from the line of departure and head for shore, some 6,000 yards away. Of the amtracs available, 87 are in the first three waves—42, then 24 and 21. The rest will come later. Each wave is 300 yards from the last. Some, at Shoup's suggestion, have been equipped with light armored shields specially welded in New Zealand. Each vehicle holds 20 to 25 men. They make less than four knots at sea.

At 8:55 a.m. all guns stop firing. Smoke has obscured the beach where the marines are landing, and for 20 crucial minutes the big guns have to remain silent. The Japanese use this moment to rush men massed on the south beach to cover the lagoon.

At 4,000 yards shells from the Japanese 75s start splashing around the amtracs. Then the 37s kick in, and at 2,000 yards long-range ma-

chine guns begin to spray bullets all over the sea. Soon rifle fire joins in. At 800 yards, amtracs reach the reef, crawl up over it and down into the water on the shore side. “Little boats on wheels,” the Japanese call them.

A few hundred yards ahead of the first wave, two landing boats, miraculously unscathed, touch the end of the pier and men pour out, firing at the Japanese machine guns hidden in the pier. This is the scout-sniper platoon led by First Lieut. William Deane Hawkins, 30, a rangy Texan. Everybody calls him “Hawk.” He has worked his way up through the ranks and does not believe he will survive the war.

Hawkins and his men race down the pier, hurling grenades at machine-gun nests, squirting fire from flamethrowers. Soon the pilings are ablaze.

The first wave of amtracs scrapes the sand in uneven increments: 9:10 on Red One; 9:17 on Red Three; 9:22 on Red Two. The beachhead is only ten yards wide. Amtrac drivers discover their machines can't climb over the four-foot seawall. Engines scream, throwing up showers of sand and splinters. The vehicles get hung up on the wall, sink back peppered with holes. In the chaos, some Second Battalion, Second Marines amtracs slant west to land on Red One with the Third Battalion, which the ferocity of the defense has already forced many yards west of its intended landing point. This is Maj. John F. Schoettel's battalion, but he is still trying to get to shore.

“CASUALTIES 70 PERCENT. CAN'T HOLD”

To men in the next wave of boats plugging toward the island, the noise is unbelievable: vast shuddering explosions that squeeze the body; the howl of steel fragments tearing the air apart just overhead; the spang of lead smashing into steel; gigantic splashes, underwater explosions that heave tons of green sea with enormous white-water crowns up into the air; guns chattering in long bursts, ripping the water into froth. And above the din a roar of human shouts, screams and cries.

Many of the amtracs are blasted to bits. Bodies sprawl on their decks. Men pile out, to sink under their decks or to float face down. Unhit amtracs start back for another load, running in reverse to keep their armored fronts to the enemy, but many lie dead in the water or skewed crazily on the torn sand. A message from an unidentified sender flashes to Gen. Julian Smith aboard the flagship *Maryland*: “Have landed. Unusually heavy opposition. Casualties 70 percent. Can't hold.” In the three-day assault, 90 out of 125 amtracs will be lost.

Now it is the turn of the Higgins boats.

Pounded for hours by wind and ocean chop as they wallowed and circled on the line of departure, the men are relieved to be moving in at last. But some can see the reef just under the surface ahead. Here and there, the coral is actually out of the water, drying in the sun.

With an ominous squeal of metal the front boat, halfway across the lagoon, scrapes its bottom, lurches, stops dead on the coral. Others join it. The second wave piles into the lead wave, and the third follows. Some boats back off. Men leap over the side, holding their rifles high. They are in shallow water 800 yards from shore.

All around them the surface is whipped by curtains of bullets. Shells explode among the men with towering splashes. Marines watch as first one, then another Higgins boat takes a direct hit, splitting them wide open, spilling men and gear into the sea. The rusty, barnacled wreck of a local freighter that

floundered on the reef during an earlier air strike plagues marines with crossfire from Japanese snipers hidden inside.

A wave of larger craft carrying Sherman tanks stops at the reef and disgorges the tanks into the sea. Time-Life correspondent Robert Sherrod, who came in with the fifth wave, reports: “One marine picked a half dozen pieces of shrapnel from his lap, stared at them. Another said, ‘Oh God, I'm scared. I've never been so scared in my life.’ * * * Said the wild-eyed small-boat boss: ‘It's hell in here. They've already knocked out lot of boats and there are a lot of wounded men lying on the beach from the first wave.’ * * *

All along the front, men slosh in, waist-deep in bloody water, rifles over their heads, dodging and ducking as the bullets sing past. Their trousers are torn by the sharp coral, their knees and hands are bleeding.

On the concave beach at Red One, exposed to fire on three sides, of the 880 men of the Third Battalion, Second Marines only about 100 are still in action. One company reports only 40 survivors. Major Schottel, the battalion commander, still in a boat half a mile from shore, radios Shoup at 9:59: “Receiving heavy fire all along beach. Unable to land. Issue in doubt.” Minutes later, another message: “Boats held up on reef of right flank Red One. Troops receiving heavy fire in water.”

Shoup replies: “Land Red Beach Two and work west.”

Schoettel: “We have nothing left to land.” This news so shocks Shoup that he calls in his regimental reserve battalion to land on Red Two and work over toward Red One.

Despite his report, Schoettel's headquarters and weapons detachments are, in fact, still waiting in their Higgins boats; he has already lost 17 officers and believes his assault waves have been shattered to pieces. Only late in the day does a peremptory message from Julian Smith stir him to action: “Direct you land at any cost.” Later Schoettel reports to Shoup on Red Two, saying he got separated from his men—who land without him. Despite being demoralized, the major takes command of what is left of his battalion along with the First Battalion, Eighth Marines and battles for 48 hours to wipe out the “Pocket,” the toughest enemy complex on the island. Later, Schoettel is cited for bravery; he will die in action on Guam.

A pilot observer swooping back and forth over the battle notes, “The water seemed never clear of tiny men, their rifles held over their heads, slowly wading beachward. I wanted to cry.”

Red Two is the worst. Some 200 yards out, Lieut. Col. Herbert Amey's amtrac runs into a submerged wire fence. He jumps out, waves his pistol in the air, shouts, “Come on! These bastards can't stop us!” and sprints hard for shore. A cone of fire hits him in the throat and kills him instantly.

THE TERRIBLE TEST OF THE SEAWALL

Some of Amey's men hide behind a wrecked amtrac until Lieut. Col. Walter Jordan, who had come as an observer, leads them to the beach. He can't contact other landing teams because most radios are waterlogged, so he sends out runners. Marines are scattered on the spiky coral sand in small groups. Some are as far as 100 yards inland, but most lie at the foot of the seawall, heads down, out of the storm of lead that rakes the beach.

Men huddled at the seawall watch their reinforcements die in the water. Sergeants and lieutenants shout to them, taunting and bullying them. Now and then an officer rises by

himself to storm over the wall into the spray of lead. Very few follow. Those who do, scuttling madly across the sand, flop prone after five or six yards to shoot blindly at whatever is ahead. Some lie where they fall. Some inch their way back to roll exhausted over the seawall and lie there wide-eyed, panting.

Sgt. William Bordelon, a combat engineer attached to the Second Battalion, Second Marines, is one of five survivors of his 22-man platoon. His amtrac was blown up off-shore. He crouches behind the coconut logs, large hands clenched on some satchel charges, a silent man with deep-set gray eyes and a long, unsmiling face.

"Cover me!" he suddenly shouts and springs up over the wall and runs, zigzagging through the rain of bullets, to a Japanese pillbox squatting in the sand a few yards away. He swerves to the side and jams a satchel into the firing slit. A moment later the whole structure explodes in a mushroom of sand and log fragments. Bordelon races to the next pillbox, which covers the first. He throws a satchel inside that one too, and then blows up a third. Finally he runs back and slides down over the wall to get more satchels.

The front of his shirt is blossoming red.

Bordelon ducks back to the beach to pull in a fellow engineer, foundering at the water's edge. Then the sergeant lopes up to the wall, picks up more satchels and starts forward again. Instantly he is stitched by gunfire from three directions and killed. He will get the Medal of Honor.

In one makeshift hospital in a captured pillbox, more than 100 wounded have been collected. In the gloom, doctors have to operate by flashlight. Suddenly a wounded man lifts his rifle and fires at a figure huddled in a corner. Shocked, ears ringing, the marines look at the sprawled body. It is a Japanese soldier who had crept inside. Marines find another and crush his head with a rifle butt. With the rage of battle on them, they keep fighting despite their wounds. Some don't bother to stop for bandages but press on, faces, hands, shirts smeared with blood.

It is about noon. Down the length of the beach, pockets of marines wait by the seawall. Behind them lies the carnage of blasted boats and bodies, spread-eagled on the rocks, hanging head down from wrecked craft, lying half submerged in the water, face down, rocking gently with the waves. Out in the lagoon, landing craft circle, dodging the constant fire.

As troops keep straggling onto the beach, the confusion mounts. Hardly any radios are intact. Officers are separated from their men. Entire units have come ashore at the wrong place. Aboard the cruiser *Indianapolis*, naval officers mill about in Admiral Spruance's cabin, some suggesting that the Fleet Commander take direct control of the operation. Spruance raps the table once. His cold eyes rake the room. The noise stops. "Gentlemen," he says crisply, "there are a number of senior officers in this landing in whom I have the utmost confidence. The operation will proceed."

The chaos on the beach at last sorts itself out. Colonel Shoup wades ashore after two boats fail under him. He finds 20 men cowering under the pier and rousts them out. A mortar shell knocks him off his feet, peppering his legs with shrapnel. He gets up, pulls himself together and sets up HQ 50 yards past the seawall, next to a ruined air raid shelter.

The sun sinks. Yard by yard, the marines push beyond the seawall. One by one the pillboxes and shelters and dugouts get the treat-

ment, satchel charges or bangalore torpedoes thrust by hand inside the portholes. Flamethrowers are used if they can be taken close enough.

DAWN WILL BREAK ON A HELLISH SCENE

By nightfall 5,000 marines have crossed the line of departure. Fifteen hundred are dead or wounded, the others are crowded into the tiny island's fringes. Medical supplies are so short that corpsmen wade out into the surf to take first-aid kits from dead bodies. Morphine Syrettes are at a premium. There is hardly any water.

November 21: The sun rises, so hot and bright that it makes the eyes ache even before its orange-balloon image has fully lifted above the horizon. On the beach lie bodies exposed by the receding tide, dangling from smashed amtracs, tanks and wire traps. At 6 a.m. a reserve battalion that has been circling offshore for 20 hours swarms in over the reef at low tide. The men start wading in. Marines on the beach watch warily, knowing that the Japanese have plenty of ammunition still on hand in their bunkers.

This second day landing is worse than the first. The Japanese, whose concrete bunkers reinforced with palm trunks had enabled them to survive the bombings and strafings, are still alive, it seems. Machine guns smuggled at night aboard the grounded freighter cut down marines in rows. The men on the shore scream as they helplessly watch their reinforcements cut to pieces. Of 199 men in the first wave this day, only 90 reach shore. It takes five hours to land all the reserves. Almost half of the 800 are killed or wounded. The battalion loses all its flamethrowers in the water.

Nevertheless, this is a pivotal point. Shoup orders a head-on attack over the seawall. In a fury inspired by the slaughter they have just watched, the men charge inland.

Lieut. Deane Hawkins and his scouts take the point as usual, 150 yards into the trees. They reach the airstrip, but Hawkins is wounded again and again. He attacks a machine-gun nest with grenades, presses on with his men to knock out three more nests. He dies at an aid station during the night. He too wins the Medal of Honor.

Backed by the fresh reserve troops, the invasion gains momentum. Leapfrogging ahead, teams of engineers carrying flamethrowers and satchel charges alternate with covering groups of riflemen. They rush the airstrip in force and push beyond. By mid-afternoon Colonel Jordan learns that some 150 men, all that are left of his battalion, have reached the south shore and are holed up there with little ammo and no water. They have cut the island in two.

The First Battalion, Sixth Marines lands on Green Beach, bringing the first complete unit ashore with all weapons, including light tanks. Now pillboxes don't have to be removed by hand. Shoup, who had come in commanding a regimental combat team and wound up running eight battalions, gets a little relief. He will win the third Medal of Honor here.

Day Three: Marines begin the final drive. Jeeps are coming ashore, always a good sign because they mean the front has moved on ahead. The First Battalion, Sixth Marines, bypassing the four-acre Pocket at the cove, advance down the long south shore, tanks in the lead, relieving the beleaguered platoons by the airstrip. On Red Three, 400 yards east of the pier, Maj. Henry Growe, the only one of three assault team commanders to reach shore with his men on D-day morning, is blocked by a huge, sand-covered, concrete bombproof impervious to the heaviest fire.

Enter Lieut. Alexander Bonnyman, slim, diffident, Princeton, he is an engineer who owns several cooper mines near Santa Fe, New Mexico. His men have killed dozens of Japanese as they sorted out of the bombproof. Now Bonnyman and five others scramble up the sandy mound in the face of desperate firing.

For a moment Bonnyman is king of the mountain, 17 feet high. Then the Japanese rush him, racing up their side of the hill with shrill yells. Bonnyman stands alone, firing his carbine. He is hit, falls to his knees, rips out a magazine, jams in a fresh one, fires until the enemy turns and runs back down the hill. He follows, rubberlegged, tumbles and rolls to the bottom, dead. Behind him other engineers shove grenades into the ventilators of the bombproof and pour cans of gasoline down the vents. With a tremendous roar it blows up. The marines count 150 corpses inside. Bonnyman becomes the battles fourth and final Medal of Honor winner.

By nightfall on the third day the marines hold a line across the western half of the island and most of the north side. There are 7,000 ashore now, with perhaps 1,000 Japanese still hidden in dugouts. And now, in the dark, the Japanese counterattack at last. Three times they rush forward, at the end reduced to brandishing swords and bayonets. Many commit suicide. Three times they are repelled. Next morning, aided by strafing planes and naval guns, the marines break down the last bombproofs. It is over. Second Marine Division casualties: 1,027 killed, 2,292 wounded, 88 missing. Japanese and Korean casualties: 4,690 dead, 146 captured.

The American public will be outraged at what some call a modern Charge of the Light Brigade. Shortly after the battle, according to a 1962 issue of the Naval Institute Proceedings, a naval board of inquiry took up the question of the tides, although no other report surfaced. Admiral Spruance and all of the principals in the battle denied repeatedly that any such meeting took place. Other top-level conferences after the battle discussed many aspects of Tarawa, among them the need for more amtracs, better early bombardment, improved communications and the creation of underwater demolition teams. But the tides were not listed as a topic.

"INVALUABLE" INFORMATION—INACCURATE DETAILS

Admiral Turner—whose position has always been that he took a calculated risk and lost—will report on the local experts and their "dodging tides": "The information obtained from them was invaluable, in spite of some of it being inaccurate in matters affecting many of the details. * * * Adm. Chester Nimitz in his report says: 'Hydrographic information was known to be incomplete. Tidal conditions were about as expected.' Admiral Turner's biographer concludes: 'All those in command at Pearl [Habor] realized that the shallow coral reef, aptly called a barrier reef * * * was a major hazard for the assault forces. * * * All were acquainted with the possibility of a 'dodging tide,' but the chances of it occurring on 20 November 1943 were judged slim. The risk was accepted along with dozens of other risks.'

In a 1987 issue of *Sky & Telescope*, physicist Donald W. Olson, a professor at Southwestern Texas State University, analyzed the Tarawa tides and calculated that "from 9 a.m. until 10 p.m. on November 20, 1943, the water hovered within 6 inches of its mean level, 3.3 feet. It was a neap tide of reduced range, technically neither a dodging nor a

vanishing tide.* * * "But, Olson says, Navy experts at the time could not have predicted the atoll tides accurately because they did not then possess the detailed tidal "harmonic constants" for Tarawa.

As for "Howlin' Mad" Smith's postwar opinion that the battle should never have been fought at all, it is not widely shared. That early in the war no one could predict the effect of bypassing Tarawa and Makin. "Smith advocated going straight on into the Marshalls," former correspondent Sherrod points out. "But we know now that the Japanese were prepared to resist an invasion there. Tarawa had to be fought."

Sherrod, 84, who saw the action all through World War II, including Iwo Jima and Okinawa, says no experience matched wading in for 700 yards under shattering fire with the fifth wave at Tarawa. His book *Tarawa: The Story of a Battle* makes you feel you were there.

After the battle, in the quiet, naked Marines splash happily about in the cove, ignoring the signs warning of mines. As they look to the blue horizon, they get a nagging sense that something is missing. The dazzling white line of surf that brought death to so many has disappeared. At last the tide is up. The reef is gone!

COURT CONDEMNS HILLARY CLINTON'S TACTICS

HON. CHRISTOPHER COX

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 10, 1993

Mr. COX. Mr. Speaker, on Tuesday, November 9, the U.S. District Court for the District of Columbia ruled that defendant Hillary Rodham Clinton had no even arguable basis for withholding information about her health care task force from the public.

The judge called her rejections meritless. He called her responses incomplete and inadequate. To her refusal to respond to discovery request, the judge said: "The court condemns this litigation tactic, and will not tolerate it in future responses in this case."

According to campaign accounts, legal experts say that this is the "harshest criticism of the White House by a Federal court since Watergate."

The full text of the opinion follows:

[U.S. District Court for the District of Columbia, Civil Action No. 93-0399]

ASSOCIATION OF AMERICAN PHYSICIANS AND SURGEONS, INC., ET AL., PLAINTIFFS, VERSUS HILLARY RODHAM CLINTON, ET AL., DEFENDANTS

MEMORANDUM AND ORDER

This matter comes before the court on plaintiffs' motion to compel answers to interrogatories and production of documents. The Court has carefully read each of defendants' responses, along with all memoranda in support of and in opposition to plaintiffs' motion. On October 20, 1993, counsel also presented oral arguments to the court.

The exception to the Federal Advisory Committee Act applying to each working group body must be on the basis that the group is composed wholly of full-time government employees. (Court of Appeals' slip op., p. 26). When the body (be it a sub-group or whatever) is asked to render advice or recommendations as a group, it is a Federal Ad-

visory Committee Act advisory committee unless it is composed wholly of full-time government employees. (*Id.*, p. 29). This court's task is to inquire into:

1. The formality and structure of the working group and its sub-groups to determine if there are advisory committees within the working group, even if the working group itself is not an advisory committee.

2. The truth of the government's claim that all members of the working groups are full-time officers or employees of the government.

3. The status of the special government employees, where they came from, how many hours they worked, and whether they were full-time.

4. The status of the consultants—did each only come to a one-time meeting, or is his or her role functionally indistinguishable from other members of the group or sub-group. Any consultant who regularly attended and fully participated in meetings should be regarded as a member of that group or sub-group, and the consultant's status as a private citizen would then disqualify that group or sub-group from exempt status under the Federal Advisory Committee Act.

The Court of Appeals specifically cautioned that the Federal Advisory Committee Act cannot be avoided by simply appointing, for example, "10 private citizens as special government employees for two days, and then have the committee receive the section 3(2) exemption as a body composed of full-time government employees." (*Id.*, pp. 31-32).

Importantly, Circuit Judge Buckley, in his concurring opinion, noted the importance of the government's argument regarding compliance with ethics laws:

"Mr. Magaziner . . . took pains to stress the fact that every member of and consultant to the group—whether a regular or special government employee, whether working full time or part, for pay or without—was required to file a financial disclosure statement and to comply with other requirements of these laws."

(Court of Appeals slip op., Buckley, J. Concurring, at 11-12.) Discovery into the truth of Mr. Magaziner's affidavit on this point, then, also appears to be warranted.

Rule 26 must be liberally construed to allow discovery into any factual matter that is germane to any of the remaining legal issues in this case, and that may lead to the discovery of admissible evidence or may relate to circumstantial evidence.

Defendants have submitted meritless relevancy objections in almost all instances, and incomplete and inadequate responses in most instances, and plaintiffs' motion to compel shall be granted as set forth herein.

The court rejects defendants' objection that because the current complaint has no specific allegation that "the interdepartmental working group, its cluster groups or subgroup or any other groups were subject to the FACA" plaintiffs are not entitled to seek discovery on these issues. The complaint can be amended to conform to the evidence discovered, and there is no basis at this late stage—on remand, after full briefing—to now raise on archaic technical pleading objection. After full discovery, the court will require an amended complaint to be filed that conforms to the evidence and frames the issues for deciding dispositive motions or, if necessary, trial.

The court also rejects defendants' interpretation of their obligations to respond to outstanding discovery on an on-going basis. For example, in defendants' response to discovery request No. 2 (at p. 8), defendants noted

that "there are a few additional individuals listed who may have maintained expert or consultancy agreements . . . [who] are not designated as having been retained by a particular governmental entity pending the results of a continuing search for pertinent documentation." The proper response by the government would have been to file its incomplete information and move to enlarge time for filing its complete answer, with an estimate of how much time would be needed. Instead, the government decided it would file an incomplete answer and they supplement it whenever it pleased, effectively divesting this court of control over the discovery process and ensuring that during the briefing process on the motion to compel the government would continue to produce dribbles and drabs of information at its convenience. This has unnecessarily complicated judicial review by providing a constantly changing target. The court condemns this litigation tactic and will not tolerate it in future responses in this case.

Defendants initially submitted a preposterous response to plaintiffs' request for lists of individuals who participated with each working group, saying that for Groups 1A and 22A-D "no such list was ever created." The lack of a formal, pre-existing list obviously did not excuse defendants from complying with plaintiffs' request. Apparently even defendants now recognize that, since they have now filed supplemental responses regarding the individuals in Groups 1A and 22A-D. Again, the court rejects this improper litigation tactic.

Even more egregious, however, is the defendants' response that the lists of meeting participants they created "should not be understood as fully exhaustive or completely accurate lists. . . ." Defendants go on to say that given "the fluidity and informality of the process by which individuals participated in the interdepartmental working group . . . [the lists] contain the names of some individuals who did not attend any meetings or who only attended one or two. Similarly, some individuals who attended some working group meetings are undoubtedly not listed." Defendants admitted at oral argument that no effort was made to check the records of each working group for agendas, meeting minutes, and lists of participants, because such documents were not "routinely" prepared. This does not justify the government's refusal to find and produce those documents that were prepared—albeit perhaps pursuant to a protective order.¹ Defendants also admitted at oral argument that they made no effort to check Secret Service records of meeting participants. Again, while such records would not be complete—since some people with appropriate passes would not be listed—they would be probative, since the names plaintiffs are most likely seeking are those most likely to need special clearances for meetings. Defendants cannot simply check the records that happen to be in

¹The court understands the defendants' concerns about production of substantive working group documents which will be publicly released only if plaintiffs ultimately prevail. The court does not understand, but is willing to consider, any argument defendants might make for a protective order for agendas or minutes, to preclude use except in connection with this litigation. The court is doubtful that a protective order is warranted for participant lists. What the court has no doubt whatsoever about, however, is plaintiffs' entitlement to have an appropriate search conducted to locate all such agendas, minutes, and lists. To the extent that plaintiffs' original wording was overbroad, it has now been refined. Plaintiffs are entitled to try to gather evidence to show that "consultants" are the functional equivalents of fully participating members of groups and sub-groups.

Mr. Magaziner's office, a "sampling" of other records, and then claim to have properly responded. Defendants have again improperly thwarted plaintiffs' legitimate discovery requests.²

Defendants have refused to provide full information on what they call "audit groups" that were outside the interdepartmental working group, and have provided no information whatsoever on the "drafting group." The court rejects the argument that plaintiffs are not entitled to all germane information about all of the groups and sub-groups at the White House that dealt with health care reform issues. It matters not what label or title the group or sub-group had. Plaintiffs are entitled to inquire into the formality and structure of all these groups and sub-groups, and defendants are again improperly withholding the germane information.

Time and attendance records and records of payments made (for *per diem* or other work or for travel and other expenses) are clearly germane evidence since they may provide circumstantial evidence that plaintiffs can use to argue that the government's labels as special government employees as well as consultants are a sham. The same is true for financial disclosure or ethics forms—the signature and date and fact the form was or was not completed is germane to plaintiffs' contentions. The court will allow redaction to those other parts of the forms that are not already publicly available. Defendants have, however, even refused to provide to plaintiffs forms that are already publicly available. Defendants have no even arguable basis for such improper withholding.

Plaintiffs' Motion to Compel is GRANTED as set forth herein. Defendants shall, within 20 days of this date, file their final supplemental discovery response.

Plaintiffs are entitled to their attorney's fees, having prevailed on their motion to compel, and such an award of fees is not unjust under Rule 37 of the Federal Rules of Civil Procedure. Plaintiffs' detailed statement of fees and costs shall be filed within 10 days. Defendants may comment thereon within 5 days thereafter.

So ordered.

ROYCE C. LAMBERTH,
U.S. District Judge.

VETERANS DAY, 1993

HON. NITA M. LOWEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 10, 1993

Mrs. LOWEY. Mr. Speaker, I rise today to salute the millions of Americans whose courage has sustained our freedom. Through five wars and a long twilight struggle with tyranny, these heroes sacrificed for love of country, not only answering the call of our flag, but also honoring its meaning.

Seventy-five years after the armistice that concluded World War I, let us together honor their extraordinary contribution, and reflect upon the responsibilities they have entrusted to a great nation in a new world.

Because of their deeds, we know that greatness is not measured in force of arms, that

America is not emboldened by the pride of force, but by a deeper standard. They served not for self, but for a cause. They fought not to conquer, but to save. They struggled not in defiance of our humanity, but in its celebration.

That certainty, measured in a million acts of quiet determination, makes us weep for joy at the sight of the stars and stripes. A flag astride a vast land, lifted by ambition, limitless in its gentle charity. Emblem of the greatest Nation and people ever to walk the Earth.

Because they have done their work so well and with such effectiveness, we approach a new era, free of fear, but full of challenge. Yet the cause for which America's veterans served endures.

In their name, let us rededicate ourselves to the expansion of real freedom for all men and women—real freedom, and the opportunity to enjoy it. Let us summon the spirit of mission to a new call for leadership. Let us remember the dignity of ordinary Americans, summoned from home and family to meet the challenges of a great nation destined to lead.

We owe our heroes not only a guarantee of steadfast support in times of need or adversity, not only a special commitment to address the medical and social conditions which face so many of them, not only a dignified quality of life, but above all, an unyielding faith in the values which guided them home from the great crucibles of our time.

May God bless them, and may God bless America.

POLITICAL STATUS OF PUERTO RICO

HON. PETER DEUTSCH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 10, 1993

Mr. DEUTSCH. Mr. Speaker, today I rise to talk about an issue which should be important to all Americans. On Sunday, the people of Puerto Rico will hold a plebiscite on the future political status of the island. As most of my colleagues are aware, the three options being considered are commonwealth, statehood, and independence. I take a special interest in Puerto Rico since my Florida district is the closest district to this part of the United States.

I am a strong supporter of self-determination for the people of Puerto Rico. As U.S. citizens, Puerto Ricans have made many valuable contributions to our country's heritage and culture. Although I believe statehood is the best option, I will support and work toward passing legislation on whatever option the people choose.

The people of Puerto Rico will only enjoy the full rights of their citizenship if Puerto Rico becomes a State. As long as the island remains a territory, Puerto Ricans will be totally dependent upon the wishes of Congress. This problem can be seen by the recent congressional decision to significantly curtail tax breaks for U.S. companies located on the island. In the history of the United States, territories that applied for statehood have never been denied admission to the Union. If the people of Puerto Rico choose statehood, I will

do whatever I can to pass good enabling legislation which would allow them that option.

I would like to bring to my colleagues' attention an issue which has been raised during the plebiscite campaign that greatly disturbs me. Several Members of this body have claimed that Puerto Rico should not become a State due to its different culture and language. Moreover, some politicians on the island claim that Puerto Ricans will be forced to speak only English. I deeply resent these scare tactics and statements which are being used to mislead the Puerto Rican people.

The people of Puerto Rico have only to look at the Congress of the United States to see that these statements are false. If Hispanic culture and language was suppressed by various States, we would not have 14 Members of Congress in the Hispanic Caucus. I want the people of Puerto Rico to understand that they can choose statehood and protect their language and culture at the same time.

The ability to protect the Hispanic culture and enjoy the full rights of U.S. citizenship is best symbolized by Florida's own Cuban-American community. In fact, the Cuban-Americans successfully lobbied Dade County this year to overturn the English-only law. Cuban-Americans enjoy full political rights and retain their own culture as much as they desire. Like California, New York, and many other States, Florida has a successful Hispanic population which enjoys full political rights.

The people of Puerto Rico should not be misled by those claiming that statehood would jeopardize their own culture. Puerto Rican voters should base their decisions on what is best for their island politically and economically. On Sunday, Puerto Ricans should vote their conscience and not be misled by scare tactics.

HONORING THE 25TH ANNIVERSARY OF THE EDUCATIONAL INFORMATION AND RESOURCE CENTER

HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 10, 1993

Mr. ANDREWS of New Jersey. Mr. Speaker, I rise today to bring to the attention of my colleagues an important educational resource in New Jersey. The Education Information and Resource Center [EIRC], located in Sewell, NJ, is being honored on the occasion of its 25th year of outstanding service to schools, parents, agencies, and communities.

Since its inception, this unique New Jersey resource has been able guided through the strong and effective leadership of a 21-member board of directors who represent the total educational community: teachers, administrators, school board members, parents, and representatives of business, industry, and higher education.

The center has achieved special recognition for its key role in developing and sustaining model educational and human service programs at all levels and is highly valued throughout New Jersey as well as in 36 States and a number of foreign countries.

²Defendants' burdensome argument is categorically rejected. This court does not accept such arguments without specific estimates of staff hours needed to comply, and defendants submitted no such estimates.

The center, which was founded in 1968, is the national headquarters for the National Talent Network, Hands Across The Water, the National Assault Prevention Center, the Information and Research Service, and the National Diffusion Network's State facilitator.

I resolve today that this House honor and congratulate ERIC on the occasion of its 25 anniversary, comments its 25 years of steadfast and excellent service to the children and parents of this country, and extends best wishes for continued success in the years to come.

I further resolve that a duly authenticated copy of this resolution, signed by the President and attested by the Secretary, be transmitted to the Educational Information and Resource Center.

TRIBUTE TO THE DONALD JACKSON NEIGHBORHOOD CORP. AND PRUDENTIAL INSURANCE CO.

HON. DONALD M. PAYNE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 10, 1993

Mr. PAYNE of New Jersey. Mr. Speaker, I would like to take this opportunity to draw to the attention of my colleagues in Congress the accomplishments of an outstanding organization in my district, the Donald Jackson Neighborhood Corp. [DJNC].

The Donald Jackson Neighborhood Corp. and Prudential Insurance Co. are being nationally recognized and celebrated by Social Compact, an industrywide effort of banks, thrifts, insurers, secondary markets, and mortgage companies to form community alliances with neighborhood nonprofit organizations to strengthen our Nation's "at-risk" neighborhoods. The Donald Jackson Neighborhood Corp. and Prudential have been selected from almost 120 applicants nationwide as Honorees for Partnership Achievement in conjunction with the 1993 Outstanding Community Investment Awards Program, which brings national recognition to outstanding partnership-based strategies for strengthening disadvantaged neighborhoods.

The Donald Jackson Neighborhood Corp. was founded in 1987 by the residents of Clinton Hill in Newark, NJ, by members of the Blessed Sacrament Church, a Roman Catholic parish. The Donald Jackson Neighborhood Corp. believes that social stability helps solve the problems of drug abuse, crime, and poverty endemic to disadvantaged populations. This nonprofit organization works to renew their urban community by assisting leaders to address critical neighborhood issues: providing affordable housing for low- and moderate-income families; establishing education, crime prevention, and employment programs and working to promote the economic development of the community.

The Clinton Hill section of Newark's south ward is one of the poorest neighborhoods in the city. Since 1967, more than 20 multifamily dwellings in the area have been destroyed or abandoned, resulting in the loss of thousands of housing units. This loss represents more than half of available rental housing in the neighborhood.

In addition to the physical disintegration, the community is plagued by crime. The crime rate in Newark is 1½ times that of the entire county, and the violent crime rate is almost double the county average. Muggings, shootings, and car thefts are common occurrences, and drugs are sold openly on street corners.

The Donald Jackson Neighborhood Corp. uses a multifaceted approach to combat the problems of the Clinton Hill community. The Donald Jackson Neighborhood Corp. and another organization rehabilitated two abandoned residential buildings, creating 70 low-income rental units. It has also developed another housing complex on its own, and led a campaign to attract public investment in Clinton Hill.

The corporation has, with other organizations, implemented a "Pass Plan" in neighborhood schools where high school graduates are able to qualify for special "passports" to career-oriented jobs or special college tuition scholarships. The corporation has worked with civic leaders to present forums on crime and persuaded the police to increase their presence in the community. As a result, the levels of violent crime and car theft have declined.

Prudential Insurance Co. has been a leader in the DJNC partnership. Prudential has demonstrated commitment to community revitalization by investing in affordable housing intermediaries such as the Local Initiatives Support Corp. [LISC] and the National Equity Fund [NEF]. Both LISC and NEF have been strong supporters of the Donald Jackson Neighborhood Corp. in addition to its financial contributions, Prudential generously donated personnel resources who have served as consultants to the corporation's many neighborhood projects. The Prudential has also been instrumental in using its influence to negotiate for building sites and tax abatement with government officials.

Clinton Hill has already benefited from the efforts of the Donald Jackson Neighborhood Corp. As a result of the lower crime rate, residents feel safer to venture into their community. Children are being offered more opportunities in school and in their range of possible careers. More people are going to bed at night with a roof over their heads. The economic needs of the community are being addressed, and many business owners have begun to see the potential of the area. Clinton Hill still has many problems, but the corporation's work has started it down the road to recovery.

In a time when our attention is becoming increasingly focused on the problems with modern society, it is nice to be able to focus on a real solution. The partnership between the Donald Jackson Neighborhood Corp. and The Prudential is a shining example of what can be done when we cooperate to work toward a common interest—the betterment of our entire community.

I want to again urge my colleagues to join me in commending the Donald Jackson Neighborhood Corp. for its commitment and its continued work in this regard, and I applaud them in their endeavors.

GUTIERREZ SLIAG EXTENSION BILL

HON. LUIS V. GUTIERREZ

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 10, 1993

Mr. GUTIERREZ. Mr. Speaker, today I am introducing a bill that is a fine example of the type of work the Congressional Hispanic Caucus has dedicated itself to during this term—reasonable, fiscally responsible legislation that helps Hispanics—and non-Hispanics across our Nation.

I want to thank my colleagues in the Hispanic Caucus who have been absolutely instrumental in helping to craft this important bill. I also want to thank the community groups and immigrant-advocacy groups across this Nation who have been a vital part of this process and I look forward to working with them to push this legislation forward and make it law.

The purpose of this legislation, Mr. Speaker, is really quite simple, yet urgently important.

It is designed to make it easier for people to become citizens of the United States. And it provides them with the tools and resources necessary to reach that important goal.

Let me briefly explain what this bill accomplishes. It amends the Immigration Reform and Control Act of 1986 to extend money made available under the State legalization impact assistance grants—better known as SLIAG.

This funding was made available in 1986 to provide educational services—such as English-language classes—and community outreach activities regarding citizenship and naturalization.

This was a wise and prudent allocation of money—an allocation that has eased the way for many of our brothers and sisters to become citizens and join in all the privileges that citizenship brings.

However, in a rare occurrence for this U.S. Congress, the authorization for this money has run out before the money has.

My legislation will not appropriate any new money, but it will allow States to continue to use already appropriated funds through 1997.

It does this in two simple steps.

In 1995, every State will be eligible to use unused SLIAG funds to pay any outstanding, allowable claims. After all allowable claims are paid, the remaining money—at least \$61 million—will be available to continue to provide educational services and public information and community outreach to eligible legalized aliens through 1997.

Also, States would be able to utilize any additional funds available for other services allowed in current law.

The timing of this is critically important.

As many of you know, the bulk of people made eligible for citizenship by IRCA will become eligible for citizenship during the next 3 years—just after SLIAG funds run out.

This extends the period of eligibility of these funds, which extends our ability to help people reach for the dream of citizenship.

Quite simply, this legislation guarantees that money allocated—not new money—money already allocated—to help people become citizens is spent for exactly that purpose and that purpose only.

Mr. Speaker, I truly believe this legislation is critical.

It seems we cannot discuss any issue in this Congress this year without having it become a discussion of immigration and immigrants.

Many of our colleagues would have you believe that every concern that comes before this Congress—from health care to unemployment compensation—is really a concern about immigrants and immigration.

We know, and statistics show, this simply is not the case.

But that is not to say that we should not make every resource available to people who come to this country with no desire other than to work hard and share in the American dream.

Our cities are filled with these people. From the Bronx to Los Angeles back to Humboldt Park and Pilsen and Little Village in Chicago, our neighborhoods are filled with people looking to build and develop our communities in America. And sometimes, all they need is a helping hand. This legislation gives them that help. It tells them that help is available. Help in learning to speak English. Help in learning about our Nation. Help in identifying the resources and programs that are available to them. Help in reaching the dream of becoming an American citizen.

That is the dream that this SLIAG extension will help every eligible legalized alien reach.

I thank my colleagues once again for their support, and I urge quick passage of this important legislation.

HEALTH CARE REFORM

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 10, 1993

Mr. HAMILTON. Mr. Speaker, I would like to insert my Washington Report for Wednesday, November 10, 1993, into the CONGRESSIONAL RECORD:

HEALTH CARE REFORM

We are at the beginning of a long, arduous, and probably confusing congressional debate over health care. The clash will invoke some of the grand concepts in American politics: the quest for security versus the desire for individual freedom, the role of government action versus the cynicism about the ability of government to deliver, the needs of the poor and the aged against the anxieties of a hard-pressed middle class. The major issues of the debate include financing, choice of provider, who to cover, and what benefits to provide. The discussion involves new terms such as employer mandates, global budgets, health alliances, managed competition, point of service options, and single payer. At the present time none of the major plans can claim anything near majority support in Congress.

The dilemma of health care reform is that it seeks to answer two fundamental questions that push in opposite directions: how do we extend basic health coverage to 37 million uninsured, and how do we restrain the rapid rise in health care costs. There is great pressure to minimize the role of government but at the same time there is doubt that coverage will ever be universal or costs ever be contained unless the government intervenes.

PROPOSALS

How you approach health care reform depends on whether you think the system is in crisis or does not need much fixing. Proposals in Congress go from one extreme to the other, from a "single-payer plan" in which government would raise enough money through taxation to pay for health care for everyone, to plans that only tinker with the present system, such as by making insurance market reforms. The President's plan and most of the other viable proposals are somewhere in between.

The President's proposal is an extraordinary mix. It contains a passion to help the needy, a faith in free markets, and a focus on the middle class. It relies on existing health care services and expands price and quality competition among providers, while at the same time establishing an elaborate new framework of government regulations and price controls. But what strikes me most of all about it is its sheer complexity, its ambition, its determination to transform the health care system and make it work better. It is not a cautious plan. It is bold and visionary and pushes the boundary of what is doable. Already it has had more scrutiny than almost any legislative proposal in history.

POLITICAL PROCESS

Any health care reform proposal will have to satisfy hundreds of political constituencies that are deeply engaged in the battle over the issue. The President has already made many adjustments in his original proposal, and he is trying to answer criticism coming from the left and the right. He has quite clearly said that when it is over, he wants to achieve comprehensive health care security for all Americans. Everything else seems to be negotiable. My guess is that we are only at the beginning of the adjustments and compromises that will be made in the days ahead in the President's proposal. Politically, the challenge will be to build and maintain a sprawling coalition that will hold together during the debate.

Never has the consensus to overhaul our health care system been so strong. Republicans and Democrats in Congress want it, so do health care professionals, local government, big business and labor, and most other Americans. In one recent poll, 94 percent of those surveyed thought health care needed "fundamental reform or to be completely rebuilt". At the same time, people often mean quite different things when they talk about the need for reform. They assess the proposals in terms of how they would affect them—both as to cost and benefits. Part of the complexity of health care reform is that people are in so many different categories: uninsured, part-time worker, families with or without children, Medicare or Medicaid recipient, disabled, veteran, self-employed, federal worker, employee of large firm.

One question on my mind is whether the sense of urgency among the public which has marked the health care reform debate thus far will be sustained. The pace of legislation is sluggish and it will not be easy to maintain the momentum necessary to pass legislation. Many lobbying groups on health care want only minor change and are urging Congress to go slow. Another factor is the approach of next fall's elections. The conventional wisdom is that the closer the election, the more difficult it is to pass major legislation. But health care could be different. Thus far, most politicians think that the people are telling us: "Pass something."

MAJOR ISSUES

I think the primary points of contention will be several. First, the biggest fight will

likely be over how to pay for the plan. The President is proposing that the system be financed largely through an employer mandate, which would require employers to pay 80 percent of the cost of the average priced plan sold within the area. Others favor: a mandate requiring individuals to purchase coverage, no mandates, or broad-based taxes on companies and individuals. Some are concerned that cutbacks in existing health care programs to finance other benefits may be too fast, too soon, too much.

A second major point of contention will be the benefit package. Obviously the more generous the benefits, the greater the cost. Some lawmakers want to scale it back; others want to add services such as chiropractic care. Americans also want the package constructed so they can keep their own doctor.

A third issue will be how to control costs. The President's plan would limit the amount that health premiums would be allowed to increase each year. That puts a burden on health plans to figure out how to live within the budget. Others do not believe the government should have any role in limiting prices, while some believe the government should apply a Medicare-type fee schedule for all doctors, hospitals, and health providers.

The power of the new health alliances the President's plan sets up will also be a point of contention. Some fear that these large quasigovernment alliances will be much too powerful, given their authority to dictate which health plans can sell coverage and at what price.

Another key issue is how quickly coverage should be expanded. The President provides subsidies for low-wage workers and small businesses and would expand benefits for long-term care and prescription drugs. Many in Congress are skeptical about the President's estimates of how much the government subsidies would cost and they would prefer to delay the target date for universal coverage.

CONCLUSIONS

Although I have many questions about his proposal, and believe it must be scrutinized by Congress and the American people, I do think the President has performed an important public service in putting health care reform to the front of the national agenda. The system today gobbles up huge amounts of dollars and bypasses many people in the country. He is forcing the country to acknowledge this, and he has made a bold proposal to try to make something happen.

HONORING JOAN RIBAUDO FOR 25 YEARS OF COMMUNITY SERVICE

HON. JERROLD NADLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 10, 1993

Mr. NADLER. Mr. Speaker, I rise today to join the many grateful neighbors in Bensonhurst and Gravesend who will tonight honor Joan Ribaudo for her 25 years of distinguished community service at a reception to be held at the Oriental Manor in Brooklyn.

As is so often the case, Joan was drawn to community service out of concern for the welfare of her children. Starting as a den leader coach for the Cub Scouts and a troop leader with the Girl Scouts, Joan became active in her local schools. She served the Parents-Teachers Association of P.S. 247, serving as

co-president and president for 2 years. When her children graduated to Seth Low Junior High School, she served on the PTA there as treasurer and as first vice president.

Joan also served on the board of Coney Island Hospital and rallied to the aid of the Marlboro community in a time of crisis. She has worked effectively as a member of the Seth Low Community Council, the Bensonhurst West End Community Council, Community Board No. 11 and was elected by her neighbors as the Democratic State committee-woman/district leader of the 47th Assembly District.

As a member of the New York State Assembly and recently as the representative in Congress serving Bensonhurst, I have known Joan Ribaud as a member of the staff of my former colleague Assemblyman Frank Barbaro. Joan's skill and dedication in meeting the needs of the citizens of the 47th Assembly District has earned her the respect, love, and admiration of the entire community.

Mr. Speaker, these days we hear a lot of talk about reinventing Government and making Government more accountable to the people. In our corner of Brooklyn, however, these laudable principles are alive and well. Concerned citizens are active in their communities, and they strive to make life better for their neighbors and for their children. Joan Ribaud is one such citizen. Her 25 years of service to the people of Brooklyn is an example of citizenship at its finest. I hope every member of this House will join me and Joan's neighbors in honoring her service and her example.

INTRODUCTION OF THE FECA FRAUD DETERRENCE ACT

HON. HARRIS W. FAWELL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 10, 1993

Mr. FAWELL. Mr. Speaker, today I am introducing legislation designed to deter fraud and abuse in the Federal Employees' Compensation Act [FECA]. This bill would enable the Department of Labor to eliminate benefits to individuals who have been convicted of defrauding the FECA program and save the Federal Government \$22.6 million over 5 years.

FECA is a workers' compensation law applicable to more than 3 million civilian employees of the Federal Government. It is a generous program that pays tax-free, inflation adjusted benefits to injured workers. The program pays compensation directly to injured employees, provides for the payment of medical expenses, and pays benefits to dependents of covered workers in case of a work-related death. Responsibility for administration of the program lies within the Department of Labor in the Office of Workers' Compensation Programs, [OWCP].

Currently, the criminal and administrative sanctions applicable to persons committing fraud against the FECA program are very limited. In some cases when OWCP discovers fraud they are unable to terminate benefits. Consequently, former Federal employees who have been convicted of defrauding the work-

ers' compensation program continue to receive benefits under the program simply because OWCP lacks the statutory authority to terminate compensation benefits. There is no reason why individuals who are in jail should continue to receive benefits from the very program they were convicted of defrauding. Under current law, FECA benefits may be suspended or terminated only where the medical evidence establishes that the compensable disability has ceased or where the claimant has refused to work after suitable employment has been offered.

While the majority of FECA claims are legitimate, a minority of the claims involve individuals filing fraudulent claims. In one instance, an individual failed to report that he was working while receiving FECA benefits. It was later discovered that the individual had, in fact, made false statements and fraudulently received almost \$200,000 in FECA benefits. Although he was tried and convicted in Federal court on these charges, OWCP was unable to terminate his compensation benefits based solely on his conviction for making false statements to acquire benefits.

Eliminating fraud in the FECA program is just one of the many items included in Vice President GORE's National Performance Review report on reinventing Government. Enactment of this legislation would enhance the deterrent value of the Federal Employees' Compensation Act, enable the Government to punish those who defraud the program and, most importantly, save the taxpayers the cost of supporting those who defraud the program.

TRIBUTE TO THE PARTNERS IN EDUCATION PROGRAM

HON. SHERROD BROWN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 10, 1993

Mr. BROWN of Ohio. Mr. Speaker, I rise today to recognize the accomplishments of the "Partners in Education" Program being carried out at Eastern Heights Junior High School in Elyria, OH.

Partners in Education is a unique program that has given students more reasons to stay in school as well as an incentive to work harder. By forming a student-mentor relationship with local business and government leaders, students gain an invaluable wealth of knowledge and experience.

Leaders who participate in this program act as mentors and tutors, donors of equipment and supplies, and special contest sponsors. Whether it be the donation of a free meal to honor roll students, or the gift of a free saxophone lesson from a professional musician, the incentives and encouragement by local business and government leaders seem to be working.

The success of Partners in Education can be seen in a variety of areas. The most obvious being an increasingly positive attitude from the participating students about learning, and a greater interest in assuming new responsibilities. In addition to a higher percentage of students making the honor roll there has also been increased parental involvement

in PTO/PTA programs and teachers are more motivated and excited.

The Partners in Education program is the type of creative approach to learning that is making a difference in our schools and the lives of young people. Please join me in commending this combined effort by business and government leaders to help parents and educators reward and support students in furthering their educations.

TRIBUTE TO JULIA WASHINGTON ON THE OCCASION OF HER RE- TIREMENT FROM THE PUBLIC SCHOOL SYSTEM

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 10, 1993

Mr. TOWNS. Mr. Speaker, It is with great pride that I honor Julia Washington, an educator who has contributed a vast amount of her time and efforts to the New York community. On Friday, November 12, 1993, a special celebration will take place in Queens, NY. On this evening, an outstanding citizen and educator will be recognized on her retirement from a remarkable career. Ms. Washington is retiring from her position as principal at P.S. 284.

Ms. Washington earned a bachelor of arts degree in education from Brooklyn College. She proceeded to obtain a master of arts degree in education. Subsequently, she took supervision and administration courses at St. Johns University. Her hard work resulted in a New York State Teachers Certification for school administrator and supervisor.

Julia has held a number of notable positions. She has worked as a district educational coordinator, an acting assistant principal, a supervisor for the summer Headstart Program, and an early childhood supervisor. Her responsibilities included assisting teachers, developing good teaching techniques, and implementing educational programs.

Her civic activities have been prolific. She has served as chairman for the Girl Scout Council of Greater New York and for over 5 years. Julia was the den mother for the Boy Scouts of America South District for 2 years. Transcending the work of most citizens, Julia has worked with parents and the community in implementing educational and early childhood programs, while distributing necessary information and materials to set these plans in motion.

Now retiring from 23 years of experience as principal at P.S. 284, Julia Washington has earned every honor that has been bestowed upon her. Please join me in acknowledging Ms. Washington for her selfless service to our children and the community. She is one of the greatest educators of our time.

MAAC PROJECT

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 10, 1993

Mr. FILNER. Mr. Speaker, I rise today to acknowledge the contribution made by the partnership between the Metropolitan Area Advisory Committee [MAAC] project and the International Savings Bank in my congressional district.

This partnership was recently honored nationally by the Social Compact with America's Neighborhoods 1993 Outstanding Community Investment Award, which brings recognition to outstanding partnership-based strategies for strengthening disadvantaged neighborhoods.

The MAAC project is a nonprofit, social service agency serving more than 30,000 residents of San Diego County. Founded in 1965, the MAAC project operates 23 separate programs, addressing the employment, housing, health care, and education needs of the community. The MAAC project is being honored at this time for creating a major redevelopment project in the Logan Heights neighborhood of San Diego, an area with unemployment hovering around 29 percent.

Through the financial assistance of the International Savings Bank, this redevelopment project will include affordable rental housing for low-income families, social services like child care, job skills training, and family counseling, and commercial space that will bring new stores into the neighborhood, providing needed services and employment opportunities. A cultural center is also planned, complete with a Hispanic theater and museum.

Construction will provide jobs for the unemployed, and 55 percent of the subcontracting will be done through minority-owned firms. A preapprenticeship program will train local youth in the building trade.

In partnership with MAAC, International Savings Bank has agreed to become a permanent lender for the Mercado Apartments development. Besides providing a permanent loan, the bank was able to secure an additional \$800,000 for gap financing.

The Social Compact awards program recognizes the most innovative and effective strategies in the Nation for affordable housing, community, and economic development—carried out by partnerships between financial service institutions and neighborhood-based nonprofit organizations. Social Compact is an industry-wide effort in which hundreds of financial service institutions have committed to increasing the flow of capital into lower income communities and to expanding support for effective neighborhood nonprofit organizations.

It is a pleasure to recognize, with these remarks, the outstanding contribution to the San Diego community by this partnership between the MAAC project and the International Savings Bank—and to congratulate them on receiving the Social Compact 1993 Outstanding Community Investment Award.

EXTENSIONS OF REMARKS

LEGISLATION TO ASSURE INTEGRITY OF FOOD STAMP PROGRAM

HON. THOMAS W. EWING

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 10, 1993

Mr. EWING. Mr. Speaker, I rise today in support of H.R. 3436, legislation which seeks primarily to clarify that food stamp recipients will be able to redeem food stamps at all legitimate food stores.

This legislation includes an important anti-fraud provision which I had introduced earlier this year, and which Senator MITCH MCCONNELL had introduced in the other body, as part of a comprehensive food stamp antifraud package. My provision would allow USDA to share certain information about food stores that participate in the program with Federal and State law enforcement agencies. This will provide an important deterrent against fraud in the food stamp program, and will open up additional avenues for tracking and pursuing such fraud. Safeguards are present in this legislation to prevent unauthorized use of this information.

Additionally, the committee report contains language to assure that this new definition does not become a back door to participation in the food stamp program by retail establishments which are not actually food stores. I worked with Mr. STENHOLM, Mr. ROBERTS, and Mr. EMERSON on this language, which I feel will provide valuable guidance to USDA in developing regulations to implement this bill.

Mr. Speaker, this legislation will assure that food stamp recipients will be able to redeem food stamps at legitimate food stores, and only legitimate food stores, and will provide USDA with additional means of assuring the integrity of the Food Stamp Program. I urge its adoption.

PUERTO RICO STATUS REFERENDUM

HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 10, 1993

Mr. YOUNG of Alaska. Mr. Speaker, on November 14, the U.S. citizens of the people of Puerto Rico will vote in a referendum regarding their preferred relationship with the United States. This is an historic occasion for the people to finally decide if they want to be a permanent part of these United States.

The statehood status definition is clear and consistent with legislative language used to admit previous territories into the Union. However, I am concerned with the highly unrealistic definitions of what constitutes the status choices of commonwealth and independence.

In the interest of political comity, the current pro-statehood government of Puerto Rico permitted the parties advocating commonwealth and independence to supply their own definitions in the referendum law. The result has been a balanced referendum electoral law, but with exaggerated status definitions on the referendum ballot for commonwealth and, to a lesser degree, independence.

It is ridiculous to suggest that the United States would ever agree to a commonwealth with permanent union between Puerto Rico and the United States. Only by being incorporated into the body politic of the United States can Puerto Rico be considered to be in permanent union.

We are a democracy united by a Constitution which extends equal protection, rights, and privileges to all. The United States will not set aside over two centuries of reliance upon this near-sacred document to be "bound by a bilateral pact that could not be altered, except by mutual consent." Even the North American Free-Trade Agreement [NAFTA] allows a member to end the agreement with a 6-month notice.

U.S. citizenship is endowed through the U.S. Constitution. It is through incorporation into the Union that one can obtain irrevocable American citizenship, not merely through some commonwealth guarantee. As unfortunate as it may seem, the citizenship of individuals born in Puerto Rico is not protected to the same degree as those born in a state or where the Constitution has been extended in full. This sensitive subject has been addressed and clarified many times in the recent years by the Congressional Research Service, the Department of Justice, and in several congressional hearings.

It is unfortunate that commonwealth purports to be able to obtain the full extension of Federal programs like the Supplemental Security Income [SSI] and food stamps allocations equal to those of the States, without assuming comparable financial responsibilities. It is a facade for commonwealth to infer that section 936 would be retained for very long in the future, let alone being reformed, thereby somehow assuring the creation of more and better jobs.

The independence definition makes a broad assumption that the United States would agree to let individuals in an independent Puerto Rico retain U.S. citizenship. When the people of the United Nations' trust territory in Micronesia chose to be a freely associated state with the United States, they were denied the option of U.S. citizenship. Many of the other claims of the independence definition are highly speculative as no benefit, program, service, or other right for Puerto Ricans under independence has ever been passed by both Houses of Congress.

The United Nations has resolved this to be the Decade of Decolonization. November 14 will be an opportunity for the people of Puerto Rico to decide how they want to end this decade and century under the United States flag. This is a time for the people of Puerto Rico to ask themselves if they want to be full first class citizens as an equal permanent part of the United States. No other status option on the ballot, not commonwealth and certainly not independence, can realistically guarantee equality under the U.S. Constitution.

I will be watching with intense interest and concern as the U.S. citizens of Puerto Rico choose from among the following referendum status definitions:

STATEHOOD

A vote for statehood is a mandate to reclaim the inclusion of Puerto Rico as a State of the Union.

STATEHOOD

Is a non-colonial status of full political dignity;

Will allow us to have the same rights, benefits and responsibilities of the Fifty States;

Is a guaranteed permanent union and an opportunity for economic and political progress;

Is a permanent guarantee of all the rights provided by the constitution of the United States of America—including the preservation of our culture;

Is a permanent guarantee of American citizenship, our dual language, anthems and flags;

Is complete participation in all Federal programs;

Is the right to vote for President of the United States and to elect no fewer than six representatives and two senators to Congress.

In exercising our rights as American Citizens, we will negotiate the terms of our admittance, which will be submitted to the people of Puerto Rico for its ratification.

COMMONWEALTH

A vote for commonwealth is a mandate in favor of:

A guarantee for progress, our security and that of our children within a status of complete political dignity based on the permanent union between Puerto Rico and the United States, bound by a bilateral pact that could not be altered, except by mutual consent.

COMMONWEALTH GUARANTEES

Irrevocable American citizenship;
Common market, common currency and common defense with the United States;
Fiscal autonomy for Puerto Rico;
Puerto Rican Olympic Committee and international sports self-representation;
Complete development of our cultural identity; with the Commonwealth, we are Puerto Rican first.

We will develop the Commonwealth within specific guidelines set forth to Congress. We will immediately propose:

To reform Section 936, assuring the creation of more and better jobs;

To extend Social Security Complementary Insurance (SSI) to include Puerto Rico;

To obtain Food Stamp allocations equal to those of the States;

To protect our other agricultural products, in addition to coffee.

Any additional changes will be submitted to the people of Puerto Rico for their prior approval.

INDEPENDENCE

Independence in the right of self-government of our people; and the enjoyment of all the powers and attributes of sovereignty.

In the execution of this inalienable and irrevocable right, Puerto Rico will govern itself by a Constitution that will establish a democratic government, protect human rights and affirm our nationality and language.

Independence will give Puerto Rico the necessary powers to attain greater development and prosperity, including the powers to protect and stimulate our industry, agriculture and commerce, control immigration and negotiate international accords that would broaden markets and promote investments from other countries.

A Friendship and Cooperation Treaty with the United States and a transition process to achieve independence, in accordance with federally approved House and Senate committee legislation will enable; the continuation of acquired Social Security veterans

and other benefits; Puerto Rican citizenship and that of the United States, for those who chose to retain it; the right to use our own currency or the dollar; free access to the United States markets; tax incentives for North American investments; Federal funding in an amount equal to the current allocation for at least one decade; and the eventual demilitarization of the country.

IN RECOGNITION OF PATRICK J. NORTON'S SERVICE TO THE CITY OF WAYNE

HON. WILLIAM D. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 10, 1993

Mr. FORD of Michigan. Mr. Speaker, I would like to take this opportunity to recognize Patrick J. Norton's 29 years of service on the Wayne City Council. Beginning his continuous service on the Wayne City Council in 1964 and serving as mayor from 1970 to 1975 and again from 1979 to 1991, Pat has been a progressive, future-oriented leader in Wayne.

During Pat's tenure as mayor of Wayne, the city was faced with the challenges that many downtowns confronted in the 1980's—the replacement of the individual retailer with the development of the megamall. As mayor, Pat established a committee to outline a vision for the city into the year 2000. His dedication to urban renewal projects was probably his greatest contribution to the city. Among his achievements as mayor and councilman are the construction of a new community center; the renovation of the old recreation center to be the new city hall; the renovation of the old city hall to be the new 29th District Court; the acquisition, renovation and reopening of the State Wayne Theater; the construction of Goudy, Washington, Mill Trail, and McClaughrey Parks; the renovation of the Wayne-Westland Library; the construction of 76 award winning public housing units; and the renovation and opening of a new public services facility. Pat also worked tirelessly with the Ford Motor Co. on the expansion and renovation of the Wayne Assembly and Michigan Trucks Plants, as well as on the construction of their Wayne Stamping Plant. The citizens of the city of Wayne have certainly had an industrious public servant in Patrick Norton.

Pat's talents and perseverance have been recognized by many. He received the Top Elected Official Award for 1986–87 from the Metropolitan Detroit Area Chapter of the American Society for Public Administration. In 1991, he was chosen by the American Leadership Conference to participate in a conference which provided then-Soviet participants a chance to question Americans about democracy and a freeworld market. Pat was also either elected or appointed to numerous boards including: The board of trustees of the Michigan Municipal League, vice chairman of the board of directors of the Peoples Community Hospital Authority, and chairman of three city committees.

The city of Wayne is losing a dedicated, committed public servant with Pat's decision not to seek reelection. One only has to take a drive around the city of Wayne to witness the

positive contributions of his leadership and service in that community. In 1964, Pat and I began serving the people of the city of Wayne. It has truly been a pleasure working with him to further the interests of our shared constituency. I wish Pat the best in his future endeavors.

HONORING THE REVEREND DR. NATHANIEL TYLER-LLOYD

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 10, 1993

Mr. ENGEL. Mr. Speaker, I am pleased to acknowledge today the 33d anniversary of the pastorship of the Reverend Dr. Nathaniel Tyler-Lloyd, which is being celebrated at Trinity Baptist Church in my district this week.

In 1960, Reverend Tyler-Lloyd was called to assume the leadership of Trinity Baptist Church, one of the oldest churches in the Williamsbridge section of the Bronx. Since that time, his dedication to his ministry and his leadership in the community have had a positive effect on both the church and the immediate neighborhood. Through his guidance, Trinity Baptist has experienced marvelous growth, which includes a Christian educational center and multipurpose fellowship hall to accommodate an enlarging congregation.

The leadership ability of Reverend Tyler-Lloyd has earned him recognition throughout the Christian community. He has been honored for his compassionate work on AIDS, serves on the boards of an array of respected organizations, and has traveled the world with his family spreading a message of hope.

It is my honor to congratulate Reverend Tyler-Lloyd for all these achievements, and thank him on behalf of my constituents for his continuing efforts.

NAFTA AND ORANGE COUNTY

HON. RON PACKARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 10, 1993

Mr. PACKARD. Mr. Speaker, NAFTA will be a tremendous economic boon for Orange County. Like the rest of California, Orange County is still mired in a recession. The county needs an economic boost that will not only benefit us in the long run, but will give us the jumpstart we need now. NAFTA will give us that boost.

In the first year alone, NAFTA will double Orange County's exports to Mexico and create more than 800 new jobs. By the end of the decade, county exports to Mexico will increase fivefold, creating 10,000 net new jobs.

Orange County's most competitive industries will benefit immediately under NAFTA. For instance, when Orange County manufacturers export medical instruments to Mexico, we're slapped with a 16-percent tariff. That raises the price of our goods making us less competitive. NAFTA will immediately eliminate those tariffs making us more competitive.

Mexican consumers will be able to buy our products for 16 percent less than they currently do. When prices go down, sales go up. That means increased trade, increased profits, and new jobs for Orange County.

Orange County's biggest export to Mexico—rubber and plastics—faces similar benefits. Tariffs on these goods which currently go as high as 20 percent will be wiped out under NAFTA. Without NAFTA, Mexico would be free to raise tariffs as high as an incredible 50 percent.

Other Orange County goods that will greatly benefit under NAFTA are computers, electronics, and machinery. Tariffs on these goods will also be zeroed out. But that's not all. Other important trade barriers, such as licensing restrictions and quotas will be eliminated under NAFTA.

When Mexico began removing restrictive trade barriers a decade ago, Orange County exports to that country doubled. But that trend is just a small prelude to the windfall of benefits NAFTA will bring. Rather than tinkering at the edges, NAFTA will dramatically bring down the barriers that impede trade between Orange County and Mexico.

ARSON PENALTIES BILL

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 10, 1993

Mr. HOYER. Mr. Speaker, as the chairman of the Congressional Fire Services Caucus, I am pleased to join the founder of the Fire Caucus, Curt Weldon, in introducing legislation to increase the penalties for arson crime committed in our country.

In the past 2 weeks, our country has witnessed the destructive nature of arson fires as they raged through southern California, destroying homes, lives, and forever changing the nature of neighborhoods and communities.

It is estimated that the southern California fires resulted in nearly 1 billion dollars' worth of damage and three deaths. I could not read about the three known deaths caused by these fires without thinking back to last year when a young girl in my district was killed after an arsonist threw a molotov cocktail through the window of her babysitter's apartment. Young Vania Zamba was only 1 year old when her life was taken in this premeditated and monstrous act.

I do not believe that the current penalties for arson match the despicable nature of this crime, or the terrible suffering which results from arson fire.

This legislation will double the maximum sentences for convicted arsonists in this country, and, unlike a similar Senate amendment passed last week, will set mandatory minimum sentences. This is a tough bill which will send a strong message to potential arsonists across the country: If you commit this crime, you will do the time.

Annually, 700 people in our country die as a result of arson fire, and nearly 2 billion dollars' worth of property is destroyed. In some of our major metropolitan cities, arson is the No. 1 cause of fire. We cannot allow this trend to continue.

Just this year, Congressman RICK BOUCHER, with the help of Congressman GEORGE BROWN, pushed through the Arson Prevention Act of 1993. This legislation, along with a new training facility for arson investigators—which I have been working on with the Bureau of Alcohol, Tobacco, and Firearms—will improve arson investigations and help identify and stop arsonists before they strike.

It is hoped that the longer and mandatory sentences included in the legislation I introduce today will also stop arsonists before they commit a crime. But in the event they do commit this heinous act, they will have to face better trained arson investigators and stiffer penalties. I urge my colleagues to support this important effort.

BUTLER COUNTY VETERAN OF THE YEAR

HON. THOMAS J. RIDGE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 10, 1993

Mr. RIDGE. Mr. Speaker, as we approach Veterans Day, I would like to pay tribute to a constituent of mine who, through his community service, has demonstrated the contributions American vets can continue to make to their communities. This coming Saturday, Steve Zavacky, Jr. of Renfrew, PA, will be named Butler County Veteran of the Year, 1993. This is an honor that Mr. Zavacky certainly deserves.

During World War II, Mr. Zavacky served his country with distinction in the Army's 479th Engineer Maintenance Company. Mr. Zavacky's service to his country did not end with his discharge from the Army. In the same since, he has remained active in veterans associations and participated in many community projects. He had ably assisted the Butler County Military Veterans' Committee in various capacities.

In addition, he holds lifetime memberships in both the Michael Kosar American Legion Post 778 and VFW Post 249. And, in his 42 years at the American Legion his posts have included past commander, first vice commander, second vice commander, treasurer, and historian.

An adept designer and builder, Mr. Zavacky supervised the construction of Post 778's Legion Park. This is only one of the numerous projects that Steve selflessly and energetically took on with pride. Other examples of his altruistic spirit are the acclaimed "Wings of Peace" veterans' monument in Penn Township, which he built and designed, and the flagpole and flag monument at the Highfield Community Center.

The love and patriotism Steve feels for his country can be seen in his numerous service projects. Steve's goodwill and hard work reach far beyond the veterans' community. His contributions to the quality of life in Butler County include spending 36 years on the Butler County Safety Council, actively serving his church, and constructing a memorial to honor Pennsylvania State Troopers from Butler who were killed in action.

Saturday will not be the first time Mr. Zavacky will be recognized for the ongoing

contributions he makes to his community. Among the other awards he has received are the Legionnaire of the Year in 1981 and the Volunteer Veterans' Service Award from the VA Medical Center in Butler. Steve is richly deserving of those awards, as well as this latest honor.

TRADE TO BENEFIT BOTH COUNTRIES

HON. THOMAS J. BARLOW III

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 10, 1993

Mr. BARLOW. Mr. Speaker, our debate over the North American Free-Trade Agreement is bringing to the floor a long needed focusing on what the purpose of our trade relations should be. We do not want to be wearing away at the proud societies with whom we trade.

We take as a matter of faith that all sides of wise trade arrangements should benefit. In shaping wise trade arrangements we must try to ensure the well-being of the societies with whom we trade so that strong trading partnerships continue to grow and strengthen through time.

Tariffs are taxes levied at our borders. Clearly tariffs of 11 to 20 percent levied by the Mexican Government on our exports to their nation has not hurt the economic growth of Mexico nor halted the rising volume of exports from the United States to Mexico.

Let us focus on where such tariffs are spent. We want to be a constructive partner with Mexico in its work to develop its infrastructure for the benefit of the Mexican people—roads, schools, hospitals, water systems, police, and fire protection. Perhaps we should collect tariffs at the border on their goods entering our Nation equivalent to their tariffs on our goods entering Mexico and use such moneys through shared lending arrangements to help our valued and proud trading partner, to assist our neighboring Mexican people. We do no less with tax policy for the benefit of our own people. Wise tax policies are essential to ensure that true prosperity is developed in our nations. True prosperity is the well-being of all our people.

TRIBUTE TO PATRICK HASSETT

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 10, 1993

Mr. VISCLOSKY. Mr. Speaker, I rise to commend to you today a truly exceptional man, Patrick Bassett.

Thursday, November 11, 1993, marks the observance of Veterans Day, honoring veterans who have pledged allegiance to their country, and all of its endeavors. This day is set aside to recognize the boldness and bravery of those who have fought to uphold the standards of democracy.

On this Veterans Day, a ceremony to honor Patrick Hassett will be held at the Dyer VFW Post 6448, at 2125 Gettler Street, in Dyer, IN.

Mr. Hassett will be honored for his assistance in the transport of United States troops to the Persian Gulf during the gulf war, as part of the Civil Reserve Air Fleet. As a civilian, Patrick does not qualify for military honors; however, his dedication to his country warrants public acknowledgment and praise. I will be honored to have this opportunity to present Patrick Hassett with three Combat and Service Medals, as conferred by the U.S. Air Force: the Air Medal, the Aerial Achievement Medal, and the Desert Storm Civil Service Medal. Patrick will also receive the Liberation of Kuwait Medal, granted by the Kuwaiti Government.

A native of Merrillville, IN, Patrick attended Merrillville public schools, before going on to Army ROTC Program at Embury Riddle Aeronautical University, in Daytona Beach, FL. Upon entering the Army as first lieutenant in 1980, he later ascended to the rank of captain, retiring in 1988. At that time, Patrick entered into employment with Eastern Airlines.

In closing, I would like to again commend Patrick Hassett, and all those who have served their country, for their bravery, courage, and undying commitment to patriotism and democracy. May God bless them all.

IN SUPPORT OF OUR NATION'S VETERANS

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 10, 1993

Ms. WOOLSEY. Mr. Speaker, I rise today to remind my colleagues that although we must pay special tribute on Veterans Day to the men and women who have served our country, we cannot forget them on the other 364 days of the year.

Sadly, many of the veterans of Marin and Sonoma Counties are forgotten. The North Bay Vet Center is the only facility between San Francisco and Eureka, a 300-mile span, which provides veterans and their families with counseling and other necessary services. Despite a population of over 60,000 veterans in Sonoma County alone, this center is not fully funded. Mr. Speaker, the North Bay Vet Center has only two counselors and a temporary office manager to handle a caseload 200 percent greater than normal.

I recently asked Veterans Affairs Secretary Jesse Brown to upgrade the North Bay Vet Center to allow our veterans access to the services they have earned. Mr. Speaker, the money is already in the V.A. budget—and I can't think of a better use for it. I hope that Secretary Brown will give a long-overdue Veterans Day present to the veterans of Marin and Sonoma Counties by providing adequate funding for the North Bay Vet Center.

TRIBUTE TO OREGON'S VETERANS

HON. MICHAEL J. KOPETSKI

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 10, 1993

Mr. KOPETSKI. Mr. Speaker, in honor of Veterans Day, I rise to announce a long-awaited

event in my home State of Oregon. This past September, a bill signing ceremony marked the end of an 8-year effort by Oregon veterans and others in their campaign to realize an Oregon State Veterans Home. Oregon Senate bill 447 was signed into law by Gov. Barbara Roberts during a ceremony at the Oregon Department of Veterans Affairs [ODVA].

Legislation which would allow Oregon to participate in the U.S. Department of Veterans Affairs State Home Program has been an ongoing effort for at least a decade. Veterans' organizations have expended much effort, but had not realized their goal until this recently concluded legislative session. Much of the credit belongs to the United Veterans' Groups of Oregon, a coalition of congressionally chartered Oregon veterans service organizations. The American Legion, Department of Oregon, also took a lead role in this issue. ODVA did a superb job of providing technical assistance to the legislature.

With the approval of this legislation, Oregon becomes 1 of 46 States which already have or are building State veterans homes. States are rapidly realizing this cost-sharing method of providing care to their veterans is a benefit for all.

The legislation requires ODVA to plan, construct, and operate a skilled care facility for veterans in need of treatment. The initial facility will have approximately 150 beds, and will provide a variety of care levels.

The care provided to veterans will be varied, depending on the individual veteran's needs. Both skilled and semiskilled care will be provided, as well as specialized treatment for a 25-bed Alzheimer unit. The staff at the facility will assist the veterans to function at their highest, most independent level. Surrounded by other veterans, as well as supportive staff and family, the veterans will receive much deserved recognition as well as care.

The funds required for construction and initial equipment used in the facility will come from several different sources. It is anticipated the Federal Government, through a portion of the U.S. Department of Veterans Affairs grant budget, will provide \$8.4 million—65 percent—of the required funds. An additional \$4.6 million—35 percent—will be guaranteed by the State of Oregon.

Whichever funding approach, or combination of approaches is used, there would be significant economic advantage to the vicinity in which the facility is located. The \$13 million construction and development budget will provide numerous high-wage jobs. Once the facility is in operation, an annual payroll of over \$2 million will be created. Additional dollars will flow into the community through monies spent by facility visitors.

The veterans of this State, working together with their State legislators, have accomplished something some said would never happen. This was accomplished by prioritizing goals, focusing efforts, and setting aside differences. I stand ready to assist my fellow Oregonians in this effort.

TRIBUTE TO GOODWILL INDUSTRIES' 60TH ANNIVERSARY

HON. VIC FAZIO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 10, 1993

Mr. FAZIO. Mr. Speaker, I rise today with Congressman BOB MATSUI to pay tribute to Goodwill Industries of Sacramento Valley, Inc. for its 60 years of dedicated service to people with disabilities in the six counties of the Sacramento Valley region. Goodwill Industries of Sacramento Valley, Inc. services the counties of Sacramento, Placer, Sutter, Yolo, Butte, and Shasta, much of which lies within the boundaries of the Third and Fifth Congressional Districts, which we serve.

As you may know, Goodwill hires more people with disabilities than any other employer. They also strive to train and place workers with disabilities in a variety of jobs in the private sector. Goodwill Industries of Sacramento Valley, Inc. has 226 employees, 32 of them with disabilities. Some of the graduates of the programs are full-time employees. Goodwill Sacramento has 59 active clients in the rehabilitation programs. The annual average placement into jobs for people with disabilities who go through the Goodwill program is 118 people.

But Goodwill does more than just rehabilitate persons with disabilities. Their practice of the unwritten motto reduce, reuse, recycle, resell, and rehabilitate, has returned taxpaying citizens to the work force and an uncountable amount of donated goods back into the marketplace. Ninety-nine percent of all donated goods are returned to the market rather than end up in a landfill.

For the Sacramento area, Goodwill provides a \$5.4 million budget, only 10 percent of which is for administration. Goodwill is among the top 10 nonprofits nationally in effective administration. Its employees paid, in 1992, \$487,748 in State and Federal taxes.

On November 19, Goodwill Industries of Sacramento Valley, Inc. will celebrate its 60th birthday with an awards dinner at the Radisson Hotel in Sacramento. Mr. Speaker, we take great pride in standing before you today to pay homage to this truly great organization and wish them another 60 years and more of dedicated service to the community—service that will continue to help people move from Government assistance programs to satisfying jobs and independence. When people have jobs, many of our social problems are reduced or prevented. That is why Goodwill Industries is called the working solution, and that is why we take this time to honor their 60 successful years in the Sacramento Valley.

TRIBUTE TO HARLEY KNOX, 1993 CITIZEN OF THE YEAR

HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 10, 1993

Mr. CALVERT. Mr. Speaker, one of the things that makes America great is the fact

that in towns and cities across the face of our country there are citizens who are willing to step forward and dedicate their talents and energies to make life better for their friends and neighbors. Riverside County has been fortunate to have many such citizens—men and women who have given freely of themselves so that our beautiful area in southern California will continue to be a desirable place to live for generations to come. Mr. Harley Knox is one of these exceptional citizens.

Mr. Knox has been a successful businessman in Riverside County, having owned and operated three major businesses, including one of the world's largest producers of lawn seed, and a manufacturing company specializing in the engineering and development of seed handling and processing equipment.

In addition to providing jobs for hundreds of Riverside County families through his business enterprises, Harley Knox has generously volunteered his time and talents to the betterment of the entire community. His many civic activities are far too numerous to list, but they include membership in several business oriented groups such as the Valley Group and the Monday Morning Group, as well as civic groups such as Riverside Community College, Riverside County General Hospital, the Silver Eagle Club, the Moreno Valley YMCA Steering Committee, and the Property Owners Association of Riverside.

Mr. Knox is also active in the Inland Empire Economic Partnership, Inc., the California Military Support Group, the Riverside Community Hospital Foundation and the Moreno Valley Business Property Owners Association.

In recognition of his many contributions to our community, Harley has received countless awards including the man of the year award from the U.S. Power Squadron, the outstanding service award of the Building Industry Association, the Riverside Community College Endowed Scholarship Campaign, Award, and numerous other awards and commendations from the YMCA, March Air Force Base and other professional and political organizations.

A strong believer that the creative arts add to the quality of life of a community, Harley Knox has been a member of the Moreno Valley Cultural Arts Foundation, the Moreno Valley Historical Society, and a strong supporter, along with his wife, Donna, of the Riverside County Philharmonic.

Above all, Harley is a devoted family man. Along with Donna and their son, Aaron, who is part of the family business, the Knox family has a history of 35 years of service to the community of Moreno Valley and Riverside County.

On November 12, Harley Knox will receive yet another well-deserved tribute in recognition of his years of community service. He has been unanimously selected by the Valley Group as the 1993 citizen of the year.

To these many honors, I would like to add my personal congratulations, and the thanks of the people of the 43rd Congressional District to a true business pioneer and civic leader, Mr. Harley Knox.

REMEMBERING KRISTALLNACHT

HON. CHRISTOPHER SHAYS

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 10, 1993

Mr. SHAYS. Mr. Speaker, on November 9 and 10, the 55th anniversary of the "Night of the Broken Glass," or Kristallnacht, will be observed.

Kristallnacht marked the beginning of the Holocaust and the beginning of the sickening violence against Jews. There was no punishment for the destruction, no protection of the basic human rights of those injured or killed. Anti-Semitism reared its ugly violent head and was allowed to continue to rage in Western Europe for years to come.

Mr. Speaker, anti-Semitism in any age, in any form, cannot be tolerated.

It is vitally important that we remember historical events such as Kristallnacht so that the prejudice and hatred they represent may never be repeated.

IN COMMEMORATION OF THE 55TH ANNIVERSARY OF THE KRISTALLNACHT

HON. NANCY L. JOHNSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 10, 1993

Mrs. JOHNSON of Connecticut. Mr. Speaker, it is with sadness that I rise today to pay respect to the victims and family members of those who suffered atrocities at the hands of Adolf Hitler and the Nazi Party. Accordingly, on this day marking the 55th anniversary of the Nazi pogroms in Germany and Austria, also known as Kristallnacht, I ask that we take a moment to remember those who needlessly perished because of their religious beliefs. In order that we may prevent the cries of hatred and persecution decreed on that night from being repeated, their memory must never leave our thoughts.

Kristallnacht, "The Night of the Shattered Glass," marked the beginning of the most intense anti-Semitic campaign in history and signaled the onset of the Holocaust.

May we never again witness such wanton disregard for human life and deep seated intolerance for people. Indeed, the methodical destruction of 7,500 Jewish businesses, 275 synagogues, the arrest and deportation of 30,000 Jewish men to concentration camps, and the loss of nearly 100 Jewish lives was an atrocity and injustice of astounding proportion that cries out for recognition and eternal condemnation. Formal commemoration of Kristallnacht is a step toward preventing its recurrence.

On the occasion of this heartwrenching anniversary, I urge all Americans to continue their efforts to advance freedom and secure lasting peace, whether it be in our own backyard or on other continents. Inasmuch as we have always stood for the basic freedoms due every man and woman, we must instill this commitment in our children so they will never tolerate the hatred that caused the brutalities that our generation has witnessed.

TRIBUTE TO DORTHY STAPLETON

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 10, 1993

Mr. SKELTON. Mr. Speaker, I take this opportunity to recognize an outstanding Missourian for her 28 years of dedicated service to the city of Lexington, Dorthy Stapleton.

Dorthy Stapleton retired as Lexington's municipal court clerk several weeks ago. On February 1, 1965, Dorthy became the city's first deputy clerk. On June 1, 1966, she became the city clerk. As city clerk, she was responsible for day-to-day recordkeeping, bookwork, typing, and other clerical duties. Dorthy is an active member of the Lexington community, belonging to the United Methodist Church, the Machpelah Cemetery Board, and the Lexington Garden Club.

I urge my colleagues to join me in congratulating Dorthy Stapleton on her career as Lexington's city clerk and best wishes for a happy retirement.

CONGRESS MUST STOP BURDENING LOCAL GOVERNMENTS WITH UNFUNDED MANDATES

HON. JIM RAMSTAD

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 10, 1993

Mr. RAMSTAD. Mr. Speaker, I rise today to call on Congress to pass H.R. 1295, a bill to require all legislation to have a fiscal impact statement on States, localities, and the private sector before the legislation can be considered on the floor of the House or Senate.

Our Nation's Governors and locally elected officials have given notice to Congress that they can no longer afford to comply with Federal mandates without receiving the necessary funding.

The problem of unfunded mandates has grown as Congress has experienced greater financial constraints. Congress simply passes laws without providing funding, forcing State and local governments to raise taxes or cut back on services in order to comply with the mandates from Washington. The growing cost of these mandates takes away the ability of our locally elected officials to address local needs and priorities.

These laws are often good public policy, but it is simply unacceptable for Congress to pass on the cost of these legal mandates to local governments, which already have scarce resources to address the important issues of public safety, street maintenance, emergency services and other vital local programs.

In the 101st Congress alone, there were enough unfunded mandates passed to cost States \$15 billion over a 5-year period.

I strongly urge my colleagues to end this practice of passing costly burdens on to local government. With the Nation's staggering deficit and mind-boggling national debt, it is too easy for some politicians to enact headline-grabbing policies for the supposed good of the country and then pass the bill on to local governments.

Mr. Speaker, let us today pledge to take fiscal responsibility for our actions. Our great country can no longer afford the burdensome and failed policy of unfunded mandates. I strongly urge my colleagues to pass H.R. 1295.

H.R. 2599, THE SPACE
ADVERTISING PROHIBITION ACT

HON. SUSAN MOLINARI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 10, 1993

Ms. MOLINARI. Mr. Speaker, on July 1, 1993 I introduced legislation with Representatives MARKEY, MORELLA, and ESHOO that will effectively ban billboard advertising in space. On April 12 of this year, Space Marketing Inc. of Roswell, GA, announced its plans to place 1-mile-long advertisements in the Earth's orbit, towed by satellites.

These space billboards would be visible to the naked eye on earth, as large and at least as bright as a full Moon, and engineered to be more visible at sunrise and sunset. These billboards can even be positioned to appear to target audiences at peak times of the day and evening.

What should we say to the parents of this Nation when they have to explain to their children why the hemorrhoid ointment advertisement is next to the Moon or the Sun? It is alarming enough that advertising has become a virtual omnipresent facet of our daily lives. Are we going to remain idle and permit our children to grow-up believing that an orbiting billboard is part of nature, just like the Sun and Moon?

There will be no more romantic moonlit strolls or breathtaking sunrises. No more practicing the ancient art of naked eye astronomic study. And no longer could we look to the heavens for unadulterated inspiration and comfort.

Billboards in space is a clear violation on our environment. Unlike television programs and Earth advertisements, we would not be able to turn these stellar pervaders off.

We can only dream of the new heights that society will reach in terms of technological advancements. Billboards in space however, amount to nothing more than a nightmare.

WELFARE REFORM

HON. WILLIAM F. GOODLING

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 10, 1993

Mr. GOODLING. Mr. Speaker, today, I join the minority leader, minority whip and House Republicans in an effort to begin debate on welfare reform, a topic that is on the minds of many residents of the 19th Congressional District in Pennsylvania. Our ideas on welfare reform will hopefully put to end an era that has increased dependency on Government and has been a tragic burden on the backs of the American taxpayer. I believe real welfare reform must avoid repeating what has not

worked in the past and instead focus on building individual responsibility with less dependency on the Government.

Last year during the campaign, President Clinton promised to "end welfare as we know it" and I commend him for making those statements. I look forward to working with him in an effort to end programs that have not worked. The welfare reform legislation we are introducing today will do just that.

While no concrete details have been forthcoming, the President indicated the basic premise of his plan will be to provide States greater flexibility in implementing welfare and Medicaid programs. He indicated his support for limiting the eligibility for recipients of welfare and cash assistance to 2 years and then they are required to enter the workforce. The President also proposed providing increased childcare services for mothers and health care for welfare children. He expressed support for increased penalties for deadbeat dads and increased coordination of resources to force deadbeat dads to meet their responsibilities. From his statements, the President seems to be serious about enacting welfare reform. However, I must warn the President to beware of the "povertocrats," those committed to the same broken welfare system which instead of helping individuals to get off of welfare makes them subservient to the system.

First and foremost, I believe there is an unsupported sentiment on the part of the general public that most welfare recipients are on welfare because that is where they want to be.

There are many reasons people end up on welfare—most of which are not related to their unwillingness to work. Loss of a job, loss of the family breadwinner, homelessness, and disability are all reasons why people end up on welfare. The majority of these individuals would like to return to work, to feel the pride in being able to support themselves and their families. Often they face insurmountable roadblocks which keep them from becoming working, productive citizens.

When the Congress enacted H.R. 1720, the Family Support Act of 1988, we tried to address these specific problems by providing families with transitional benefits. The Congress tried to make work an appealing alternative to Government and provided incentives for single parents to return to work. The welfare law required States to guarantee child care services to families for 12 months following the month they become ineligible for assistance because of increased earnings or increased hours of employment. If child care was necessary for the parent if they were to continue to work, we provided that benefit. We also forced States to continue Medicaid coverage for a total of 12 months for families who received welfare for any 3 of the previous 6 months but have become ineligible because of increased employment hours or earnings.

At the time, we believed these two provisions alone should encourage welfare recipients who become employed to stay employed. They do not, however, address serious problems such as a lack of education or job skills necessary to obtain and retain employment.

As my colleagues know, there are numerous estimates of the number of individuals in this country who are functionally illiterate. The U.S. Department of Education recently re-

ported that some 90 million adults, approximately 47 percent of the U.S. adult population, demonstrate low levels of literacy, while most of them describe themselves as able to read and write well. These figures certainly underscore literacy's strong connection to our Nation's economic status and places too many individuals at a distinct disadvantage when seeking employment. How can someone who cannot read and write fill out a job application? How can they determine which bus to take to reach a potential job site? How can they read the instructions on the operation of potentially dangerous equipment? Most importantly, how can they learn the skills they need to continue to grow in their job and receive the promotions necessary to keep their family from once again becoming dependent on welfare?

Technological advances have greatly increased the literacy and job skills necessary for individuals to obtain employment. Unskilled labor is a job category which is quickly becoming a thing of the past and high school drop outs, for example, are finding it increasingly difficult to find work which pays them a decent, living wage.

Since I have been in Congress, I have always believed welfare assistance should be tied to work, job training, or education. I also believe a greater percentage of Federal assistance should be in aid rather than administration.

I believe welfare reform must include the following four fundamentals: tighten eligibility requirements, strengthen antifraud efforts, enforce parental responsibility, and institute real work requirements. The ideas included in the Republican welfare reform proposal will provide the Nation with a benchmark to begin the debate on welfare reform based upon these four ideas.

First, the Republican welfare plan will strive to tighten eligibility requirements by enforcing the establishment of paternity. In other words, if paternity is not established, welfare and cash assistance will be limited and in some cases denied. The Republican welfare plan would tighten eligibility requirements for immigrants and aliens while offering States the ability to craft their own reform plans based on their own needs.

Second, the Republican welfare reform plan would strengthen existing antifraud efforts. This proposal would dramatically reform the current system by implementing an individual case management system requiring that qualified welfare recipients sign a contract with the State designating providing for a timetable of benefit eligibility. This proposal is also intended to improve the quality of the system by utilizing resources by Federal, State, and local governments.

Third, the Republican welfare reform plan will enforce parental responsibility by imposing strict paternity establishment guidelines. This proposal would work with States to develop a system of referencing movement of individuals from State to State, specifically designed to track deadbeat dads. This proposal would also provide States incentives and the ability to develop their own systems for paternity establishment.

Finally, the Republican welfare proposal would institute real work requirements. This

plan would make work a requirement for receiving welfare benefits. Making work a requirement was paramount to the passage of the Family Support Act, however, the Congress did not pass the funds, and most [JOBS] related proposals were left unfunded and untested. This proposal would job requirement with savings achieved in other areas of the proposal.

I do have some concerns about the Republican welfare reform plan relating to the education and labor provisions. The Republican proposal includes broad waiver authority which allows Federal agencies to waive congressionally passed requirements. I also have concerns over proposals to consolidate certain food assistance programs and welfare work provisions. I will work with the other sponsors of this legislation to improve this legislation.

Mr. Speaker, I believe the time has come to take a different approach to welfare reform. I believe the Republican welfare proposal has the components to intelligently begin the debate on how best to reform our Nation's welfare system.

THE 55TH ANNIVERSARY OF KRISTALLNACHT

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 10, 1993

Ms. DeLAURO. Mr. Speaker, this week marks the 55th anniversary of an event that opened one of the most nightmarish chapters in human history. During the late night and early morning hours of November 9 and 10, 1938, the Nazis orchestrated a pogrom against Jews throughout Germany and Austria that would become known as "Kristallnacht," or "the Night of the Broken Glass."

Ostensibly a spontaneous expression of German rage at the assassination of a German diplomat in Paris by a young Jew, Kristallnacht actually was organized by the Nazis, perhaps as a warning to those few Germans who still gave help and sympathy to the Jews that the party could mobilize a mob against them if it chose. SA and SS troopers, together with the mob, smashed windows in Jewish shops and homes, demolished Jewish property, burned synagogues, and beat Jewish men, women, and children as their German neighbors and the police stood by watching. During that horrible night, nearly 100 Jews

were killed, 7,500 Jewish businesses, and 275 synagogues were destroyed, and 30,000 Jewish men were arrested and deported to concentration camps. Kristallnacht heralded a violent turn in the anti-Semitic program that had begun in 1933 with the Nuremberg Laws.

Within days, Reich Minister Hermann Goering issued a "Decree Eliminating the Jews from German Economic Life," which prohibited Jews from owning businesses or carrying on a trade independently. Those Jewish businesses that had somehow survived Kristallnacht were expropriated and ownership transferred to "Aryan" hands. A 25 percent "flight tax" was enacted on all Jewish property leaving German territory, and to compensate for the riot damage, a 1 billion mark (\$400 million) fine was levied on the Jewish community. Nearly 150,000 German and 6,000 Austrian Jews—about a third of the Jewish population of the Reich—fled following Kristallnacht.

In the wake of the pogrom, Goering headed a meeting of the council of ministers in which he announced that Hitler had asked that "the Jewish question be now, once and for all, treated in its entirety and settled in some way." Those words portended Hitler's "final solution" to the Jewish question: the Holocaust.

As we mark this solemn anniversary, we must rededicate ourselves to righting persecution and prejudice whenever and wherever it rears its head. The principles of tolerance and freedom form the basis of the American Creed—they are the foundations on which our Nation is built.

But we must also recall the tragic history of those dark times so that we can avoid repeating it. In the last several years, the ranks of the "Skinheads" and other neo-Nazi groups have swelled, both in Europe and here at home. In the past few weeks, my own State of Connecticut has been plagued by a series of hate crimes, including the defacement of several synagogues with swastikas. Clearly, we must be externally vigilant, so that the pronouncements of the next Hitler are not dismissed merely as the ravings of a madman, or the next Kristallnacht excused as an isolated act perpetrated by a mob.

As citizens of the most powerful Nation on the face of the earth—a Nation that abhors prejudice and bigotry and values tolerance as one of its founding principles—we must ensure that the Holocaust never happens again.

TRIBUTE TO EDWARD F. FEIGHAN

HON. ERIC FINGERHUT

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 10, 1993

Mr. FINGERHUT. Mr. Speaker, I rise today to pay tribute to a good friend and former Member of this distinguished body, Congressman Edward F. Feighan. His tenure in Congress saw many great accomplishments, but none more important than his work on the Brady bill. It was the persistence and dedication of Representative Feighan, my predecessor as Representative of the 19th District of Ohio, that brought the Brady bill to the forefront of public attention.

Representative Feighan introduced the Handgun Violence Prevention Act in February of 1987. The bill mandated a 7-day waiting period for handgun purchases. The Brady bill, named after former Reagan Press Secretary James Brady and his wife Sarah, became known nationwide as a simple measure with the potential to save millions of lives. Representative Feighan was willing to lead the fight for the American people because he had a vision of giving the police officers of America a new tool in their endless battle against heartless criminals who have taken away our streets and neighborhoods.

Though many shied away from gun control legislation, it was Representative Edward Feighan who said, "Enough is enough," and took on one of the most powerful lobbying groups in the country, the NRA. Representative Edward Feighan wrote in a New York Times piece, "Who would argue against legislation that could keep criminals and crazies from buying a handgun?" Today, three administrations later, the 103d Congress has a duty to continue the fight Representative Edward Feighan started in 1987.

If the Brady bill passes, it will forever change the streets and neighborhoods of America. No longer will felons or mentally unstable individuals be permitted to purchase handguns which kill innocent people daily. Representative Edward Feighan saw this legislation pass this House once, but never signed into law. We can make history by sending this legislation to President Clinton to be signed into law. When that occurs, Representative Edward Feighan will deserve the lion's share of the credit.